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Local Govt.

CITY COUNCIL MEETING NO. 10

A Special Meeting of City Council will be held, Pursuant to clause 2, Report No. 34, 1977, in the Council Chamber at City Hall on Monday, April 4, 1977, at 5:30 P.M. to consider the 1977 Budget.

ROLL CALL

BUDGET

(1) That Council resolve itself into a Committee of the Whole to consider the 1977 Budget by Departments with Mayor Keyes in the Chair.

* * *

(2) That Council rise from the Committee of the Whole and the Chairman report that the 1977 Budget was considered and that there were no changes made.

- (OR, ALTERNATIVELY) -

That Council rise from the Committee of the Whole and the Chairman report that the 1977 Budget was considered and that the following amendments were made:

* * *

(3) That the 1977 Budget, as considered in the Committee of the Whole, be approved and adopted.

- (OR, ALTERNATIVELY) -

That the 1977 Budget, as amended in the Committee of the Whole, be approved and adopted.

* * *

REPORT

A05

REPORT NO. 35

March 23, 1977.

To the Mayor and Members of Council:

The Committee on Finance and Accounts reports and recommends as follows:

1. That the $30,000. provision for uncollected taxes, as provided in the 1977 Budget, be transferred to Allowance for Uncollected Taxes.

2. That the Budget of The Children's Aid Society of the City of Kingston and County of Frontenac (Incorporated) for 1977 in the amount of $904,320. (the City's share of which is $136,016.) is hereby approved.

3. That, as provided in the 1977 Budget the Grants listed on pages 15.3, 15.4, 15.5 and 15.6 of the Finance Committee Budget be approved for payment on or after May 24, 1977.

4. That, as requested by the Public Utilities Commission, the consent of Council is hereby given, pursuant to Section 41(5) (b) of *The Public Utilities Act*, R.S.O. 1970, Chapter 390, to the Public Utilities Commission of the City of Kingston to expend $196,200. from the 1977 revenue and accumulated revenue for extensions, additions , enlargements, improvements and alterations, as follows, for the Waterworks System in the City of Kingston, rather than issue debentures:

Trunk watermains	$41,300.
Distribution Mains	14,300.
Subdivisions	29,000.
Water Purification Plant	10,000.
General, including Debenture Costs of $15,000.	101,600.
TOTAL	$196,200.

(Note: During 1977 the P.U.C. will also be requesting the approval of the issue of a general debenture in the amount of $149,700. which will be in addition to local improvements totalling $114,000.)

5. That, as requested by the Public Utilities Commission, the consent of Council is hereby given, pursuant to Section 41 (5) (b) of *The Public Utilities Act*, R.S.O. 1970, Chapter 390, to the Public Utilities Commission of the City of Kingston to expend $71,000. from 1977 revenue and accumulated revenue for extensions, additions, enlargements, improvements, and alterations, as follows, for the Natural Gas System of the City of Kingston, rather than issue debentures:

Plant & Regulator Station Equipment	$23,000.
Transmission and Distribution System	15,000.
Consumer Services	26,500.
Meters, Regulators, and Equipment	6,500.
TOTAL	$71,000.

(Note: Debenture Funds amounting to $150,000. were fully approved in 1972 and have not been issued nor drawn upon by the Commission to date.)

6. That, as recommended by The Public Utilities Commission of the City of Kingston, a by-law be presented to Council to authorize improvements, alterations and extensions of the electrical distribution system of the City of Kingston in the amount of $200,000., to be all debentured.

Respectfully submitted,

(Chairman)

BY-LAWS

(A) That By-Laws 1 to 10 be given their first and second readings.

(B) That Rule 35 of By-Law No. 1 be suspended for the purpose of giving By-Laws 1 to 8 and 10 their third reading.

(C) That By-Laws 1 to 8 and 10 be given their third reading.

(1) A By-Law to Adopt a Budget for the Year 1977.

(THREE READINGS) (PROPOSED NO. 9002)
City Council Meeting No. 10

(2) A By-Law to Levy a Tax of 73.78 Mills on the Dollar Upon the Assessed Value of Residential Land and Farm Property of the City of Kingston for City Council and Public Library Board for the Year 1977.

(THREE READINGS) (PROPOSED NO. 9003)
City Council Meeting No. 10

(3) A By-Law to Levy a Tax of 86.80 Mills on the Dollar Upon the Assessed Value of Commercial, Business, Professional, Industrial and Manufacturing Property of the City of Kingston for City Council and Public Library Board for the Year 1977.

(THREE READINGS) (PROPOSED NO. 9004)
City Council Meeting No. 10

(4) A By-Law to Levy a Tax of 7.73 Mills on the Dollar Upon the Assessed Value of Certain Land in the City of Kingston for the Purposes of Defraying the Cost of the Collection and Disposal of Garbage, Ashes and Other Refuse Throughout the Whole Municipality.

(THREE READINGS) (PROPOSED NO. 9005)
City Council Meeting No. 10

(5) A By-Law to Levy a Tax of 60.32 Mills on the Dollar Upon the Assessed Value of Residential and Farm Property in the City of Kingston, for the Lawful Purposes of the Frontenac County Board of Education for the Year 1977.

(THREE READINGS) (PROPOSED NO. 9006)
City Council Meeting No. 10

(6) A By-Law to Levy a Tax of 67.02 Mills on the Dollar Upon the Assessed Value of Commercial, Business, Professional, Industrial, and Manufacturing Property of the City of Kingston, for the Lawful Purposes of the Frontenac County Board of Education for the Year 1977.

(THREE READINGS) (PROPOSED NO. 9007)
City Council Meeting No. 10

(7) A By-Law to Levy a Tax of 33.69 Mills on the Dollar Upon the Assessed Value of Residential and Farm Property in the City of Kingston, for the Lawful Purposes of the Frontenac, Lennox and Addington County Roman Catholic Separate School Board for the Year 1977.

(THREE READINGS) (PROPOSED NO. 9008)
City Council Meeting No. 10

BY-LAWS (cont'd)

(8) A By-Law to Levy a Tax of 37.43 Mills on the Dollar Upon the Assessed Value of Commercial, Business, Professional, Industrial and Manufacturing Property of the City of Kingston, for the Lawful Purposes of the Frontenac, Lennox and Addington County Roman Catholic Separate School Board for the Year 1977.

(THREE READINGS) (PROPOSED NO. 9009)
City Council Meeting No. 10

(9) A By-Law to Authorize Improvements, Alterations and Extensions of the Electrical Distribution System of the City of Kingston in the amount of $200,000.00

(FIRST AND SECOND READINGS) (PROPOSED NO. 9010)
Clause 6, Report No. 35, 1977

(Note: If By-Law passed by a vote of three-fourths of all the members of the Council, i.e. 12, the assent of the electors to the By-Law will not be required.)

(10) A By-Law to Confirm the Proceedings of Council at Its Meeting held on April 4, 1977.

(THREE READINGS) (PROPOSED NO. 9011)
City Council Meeting No. 10

MOTIONS

Local Govt.

CITY COUNCIL MEETING NO. 10

A Special Meeting of City Council was held, Pursuant to Clause 2, Report No. 34, 1977, in the Council Chamber at City Hall on Monday, April 4, 1977 at 5:35 P.M. to consider the 1977 Budget. His Worship Mayor Keyes presided.

ROLL CALL

Mayor Keyes, Ald. Allmark, Ald. Breen, Ald. Clements, Ald. French, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Mackenzie, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb. (15)

BUDGET

(1) Moved by Ald. Gerretsen,
Seconded by Ald. Mackenzie,

That Council resolve itself into a Committee of the Whole to consider the 1977 Budget by Departments with Mayor Keyes in the Chair.
CARRIED

(2) Moved by Ald. Gerretsen,
Seconded by Ald. Mackenzie,

That Council rise from the Committee of the Whole and the Chairman report that the 1977 Budget was considered and that there were no changes made.

CARRIED

The Chairman also reported:

(a) That a Motion by Ald. Hawkins and Ald. Webb to delete from Pages 11.2 and 11.6 from the title of the appropriation "Non-Conforming Uses - Acquisitions" the words "Non-Conforming Uses", was CARRIED 11:4.

(b) That Ald. Timmins declared a conflict of interest in the Police Department Budget since his son is a Constable on the Police Force.

(c) That Ald. Timmins was recorded as opposed to the adoption of the Traffic and Streets Budget.

(d) That a motion by Ald. Webb and Ald. Matthews that $2,000. be deleted from "Finance-Travelling-A.M.O. Convention" was LOST 4:10.

(3) Moved by Ald. Gerretsen,
Seconded by Ald. Mackenzie,

That the 1977 Budget, as considered in the Committee of the Whole, be approved and adopted.

CARRIED

REPORTS

Ald. Gerretsen presented Report No. 35, of the Finance and Accounts Committee as follows:

Moved by Ald. Gerretsen,
Seconded by Ald. Hawkins,

That Report No. 35 of the Finance and Accounts Committee be received and adopted clause by clause.

REPORTS (cont'd)

REPORT NO. 35

March 23, 1977.

To the Mayor and Members of Council:

The Committee on Finance and Accounts reports and recommends as follows:

1. That the $30,000. provision for uncollected taxes, as provided in the 1977 Budget, be transferred to Allowance for Uncollected Taxes.

CARRIED

2. That the Budget of The Children's Aid Society of the City of Kingston and County of Frontenac (Incorporated) for 1977 in the amount of $904,320. (the City's share of which is $136,016.) is hereby approved.

CARRIED

3. That, as provided in the 1977 Budget the Grants listed on pages 15.3, 15.4, 15.5 and 15.6 of the Finance Committee Budget be approved for payment on or after May 24, 1977.

CARRIED

4. That, as requested by the Public Utilities Commission, the consent of Council is hereby given, pursuant to Section 41(5) (b) of *The Public Utilities Act*, R.S.O. 1970, Chapter 390, to the Public Utilities Commission of the City of Kingston to expend $196,200. from the 1977 revenue and accumulated revenue for extensions, additions, enlargements, improvements and alterations, as follows, for the Waterworks System in the City of Kingston, rather than issue debentures:

Trunk watermains	$41,300.
Distribution Mains	14,300.
Subdivisions	29,000.
Water Purification Plant	10,000.
General, including Debenture Costs of $15,000.	101,600.
TOTAL	$196,200.

(Note: During 1977 the P.U.C. will also be requesting the approval of the issue of a general debenture in the amount of $149,700. which will be in addition to local improvements totalling $114,000.)

CARRIED 14:1
(Ald. Breen Opposed)

5. That, as requested by the Public Utilities Commission, the consent of Council is hereby given, pursuant to Section 41 (5) (b) of *The Public Utilities Act*, R.S.O. 1970, Chapter 390, to the Public Utilities Commission of the City of Kingston to expend $71,000. from 1977 revenue and accumulated revenue for extensions, additions, enlargements, improvements, and alterations, as follows, for the Natural Gas System of the City of Kingston, rather than issue debentures:

Plant & Regulator Station Equipment	$23,000.
Transmission and Distribution System	15,000.
Consumer Services	26,500.
Meters, Regulators, and Equipment	6,500.
TOTAL	$71,000.

(Note: Debenture Funds amounting to $150,000. were fully approved in 1972 and have not been issued nor drawn upon by the Commission to date.)

CARRIED 14:1
(Ald. Breen Opposed)

REPORTS (cont'd)

Report No. 35 - Finance and Accounts Committee (cont'd)

6. That, as recommended by The Public Utilities Commission of the City of Kingston, a by-law be presented to Council to authorize improvements, alterations and extensions of the electrical distribution system of the City of Kingston in the amount of $200,000., to be all debentured.

CARRIED

Respectfully submitted,

(Signed)

Ken Keyes (Chairman)
J.P. Gerretsen (Vice-Chairman)
J. Hawkins
Judith Mackenzie
K.W. Matthews
Lois E. Miller

BY-LAWS

(A) Moved by Ald. Mackenzie,
Seconded by Ald. Matthews,

That By-Laws 1 to 10 be given their first and second readings.

CARRIED

(B) Moved by Ald. Miller,
Seconded by Ald. Gerretsen,

That Rule 35 of By-Law No. 1 be Suspended for the purpose of giving By-Laws 1 to 8 and 10 their third reading.

CARRIED

(C) Moved by Ald. Hawkins,
Seconded by Ald. Mackenzie,

That By-Laws 1 to 8 and 10 be given their third reading.

CARRIED

(1) A By-Law to Adopt a Budget for the Year 1977.

(THREE READINGS) (PROPOSED NO. 9002)
City Council Meeting No. 10

CARRIED

(2) A By-Law to Levy a Tax of 73.78 Mills on the Dollar Upon the Assessed Value of Residential Land and Farm Property of the City of Kingston for City Council and Public Library Board for the Year 1977.

(THREE READINGS) (PROPOSED NO. 9003)
City Council Meeting No. 10

CARRIED

(3) A By-Law to Levy a Tax of 86.80 Mills on the Dollar Upon the Assessed Value of Commercial, Business, Professional, Industrial and Manufacturing Property of the City of Kingston for City Council and Public Library Board for the Year 1977.

(THREE READINGS) (PROPOSED NO. 9004)
City Council Meeting No. 10

CARRIED

BY-LAWS (cont'd)

(4) A By-Law to Levy a Tax of 7.73 Mills on the Dollar Upon the Assessed Value of Certain Land in the City of Kingston for the Purposes of Defraying the Cost of the Collection and Disposal of Garbage, Ashes and Other Refuse Throughout the Whole Municipality.

(THREE READINGS) (PROPOSED NO. 9005)
City Council Meeting No. 10 *CARRIED*

(5) A By-Law to Levy a Tax of 60.32 Mills on the Dollar Upon the Assessed Value of Residential and Farm Property in the City of Kingston, for the Lawful Purposes of the Frontenac County Board of Education for the Year 1977.

(THREE READINGS) (PROPOSED NO. 9006)
City Council Meeting No. 10 *CARRIED*

(6) A By-Law to Levy a Tax of 67.02 Mills on the Dollar Upon the Assessed Value of Commercial, Business, Professional, Industrial, and Manufacturing Property of the City of Kingston, for the Lawful Purposes of the Frontenac County Board of Education for the Year 1977.

(THREE READINGS) (PROPOSED NO. 9007)
City Council Meeting No. 10 *CARRIED*

(7) A By-Law to Levy a Tax of 33.69 Mills on the Dollar Upon the Assessed Value of Residential and Farm Property in the City of Kingston, for the Lawful Purposes of the Frontenac, Lennox and Addington County Roman Catholic Separate School Board for the Year 1977.

(THREE READINGS) (PROPOSED NO. 9008)
City Council Meeting No. 10 *CARRIED*

(8) A By-Law to Levy a Tax of 37.43 Mills on the Dollar Upon the Assessed Value of Commercial, Business, Professional, Industrial and Manufacturing Property of the City of Kingston, for the Lawful Purposes of the Frontenac, Lennox and Addington County Roman Catholic Separate School Board for the Year 1977.

(THREE READINGS) (PROPOSED NO. 9009)
City Council Meeting No. 10
CARRIED

(9) A By-Law to Authorize Improvements, Alterations and Extensions of the Electrical Distribution System of the City of Kingston in the amount of $200,000.00

(FIRST AND SECOND READINGS) (PROPOSED NO. 9010)
Clause 6, Report No. 35, 1977

(Note: If By-Law passed by a vote of three-fourths of all the members of the Council, i.e. 12, the assent of the electors to the By-Law will not be required.)

CARRIED

(10) A By-Law to Confirm the Proceedings of Council at Its Meeting held on April 4, 1977.

(THREE READINGS) (PROPOSED NO. 9011)
City Council Meeting No. 10 *CARRIED*

MOTIONS

(1) Moved by Ald. Breen,
Seconded by Ald. Allmark,

That the congratulations of Council be extended to Judge George Thomson on his appointment as Associate Deputy Minister of the Ministry of Community and Social Services for Childrens Services.

CARRIED

(2) Moved by Ald. Miller,
Seconded by Ald. Tarnowecky,

That Council do now adjourn. *CARRIED*

Council adjourned at 7:35 P.M.

(L.S.)

(Signed) T.J. McKibbin,
Clerk-Comptroller

(Signed) Ken Keyes
Mayor

Local Govt.

CITY COUNCIL MEETING NO. 11

The Regular Meeting of City Council will be held in the Council Chamber at City Hall on Tuesday, April 12, 1977, at 8:00 P.M.

ROLL CALL

TABLING OF DOCUMENTS

COMMUNICATIONS

To Be Filed

(190) Letter of thanks from the Board of Trade of Metro Toronto on Council's support for their resolution and for Council's continuing support on the Toronto Island Airport issue.

(191) Letter from Ontario Municipal Board confirming that the 1977 interim quota has been established in the amount of $314,000.

(192) Letter of acknowledgement from the Hon. Keith Norton, Minister of Community and Social Services, in regard to resolutions, requesting gun control legislation and recommending stricter penalties and financial restitution for acts of vandalism and public mischief.

(193) Report from the Bureau of Municipal Research on "Disappearing Farmland: So What?"

(Note: Copies have been distributed to Members of Council.)

(194) From the Ministry of Consumer and Commercial Relations a directive concerning Chief Building Officials and Building Inspectors as follows:

> *"Every chief building official and inspector appointed by the Council of a municipality under The Building Code Act, 1974, may allow to be published, disclosed or communicated any information, material, statement or result of any test acquired, furnished, obtained, made or received in day-to-day operations under the power conferred under The Building Code Act and the building code.*
>
> *Day-to-day operations are not considered to include,*
>
> - *inquiries under section 29 of The Building Code Act, 1974*
> - *Authorizations made by the Building Materials Evaluation Commission for the use of any innovative material, technique or building design.*
>
> *This Directive is made pursuant to Sub-Section 4 of Section 22 of The Building Code Act, 1974.*

105

(195) Minutes of the Executive of the Cataraqui Region Conservation Authority held on March 9th, 1977.

COMMUNICATIONS (cont'd)

To Be Filed (cont'd)

(196) Minutes of the Kingston Suburban Road Commission meeting held on March 24, 1977 and also March 3rd, 1977.

(197) Minutes of Meeting of the Kingston Tourist & Visitors' Bureau held on Thursday, March 17, 1977.

(198) Letter from the Public Utilities Commission notifying they are making modifications to buses in order to make it easier for the handicapped and elderly to use the bus system.

(199) From Thorne Riddell & Co. a copy of "FOCUS - on the Federal Budget, March 31, 1977".

(200) Letter from the Minister of Housing approving, in principle, the City of Kingston's request for Provincial grant under the Ontario Home Renewal Program, and enclosing a cheque in the amount of $50,000 as an accountable advance.

(201) Letter from Zonta Club of Kingston expressing their interest and concern for automatic doors for the new library building, also enclosing a copy of "Guide to Kingston for the Handicapped".

(202) From the Bureau of Municipal Research booklet "Civic Affairs" entitled "Be it Ever so Humble: The Need for Rental Housing in the City of Toronto".

(Note: Copies have been Distributed to Members of Council).

(203) Copy of the Annual Report of the Children's Aid Socity of the City of Kingston and County of Frontenac for the Year 1976.

(204) Letter of thanks from Mrs. Anne MacDermaid on the approval of her appointment as City Archivist.

(205) Copy of *Ontario Finances* from the Honourable W. Darcy McKeough, Treasurer of Ontario, dated March 31, 1977.

(206) From Bureau of Municipal Research a report on "Design for Development: Where Are You?", March 1977.

(Note: Copies have been distributed to all members of Council).

(207) Copy of the Bureau of Municipal Research bulletin "In Review" dated March 1977.

(Note: Copies have been distributed to Members of Council.)

(208) From the Ontario Municipal Board enclosing their Order approving the issue of $1,000,000. debentures for the new Public Library under By-Law No. 8986.

(209) Copies of "*Background*" dated March 18 and 25, 1977 from the Honourable Darcy McKeough, Treasurer of Ontario.

(Note: Copies have been distributed to all members of Council.)

(210) From Canada-Ontario Rideau-Trent-Severn Advisory Committee with a listing of the 1977 Schedule of public meetings and enclosing copy of their report "Boating-Speed. Wake and Safety".

(211) City of Kingston Public Library Board financial statement for the year ended December 31, 1976, prepared by Thorne Riddell & Co., Chartered Accountants.

COMMUNICATIONS (cont'd)

To Be Referred to the Finance Committee and the Police Commission

(212) From the City of Windsor requesting endorsation of their following resolution:

"That the Ontario Police Commission and theAttorney General of Ontario BE REQUESTED to reconsider the need for a separate Police controlled computer in view of the substantial cost which would be incurred by Ontario municipalities."

and enclosing copy of their Commissioner of Finance's report dated March 4, 1977.

Which Has Been Referred to City of Kingston Planning Board

(213) From Homestead Land Holdings Limited, requesting clarification of present Official Plan of Lots 31 to 36 inclusive. Original Survey, North-west side of Ontario Street, between Lower Union and West Streets, in order to clarify the area as "high density".

To Be Filed

(214) From Canada-Ontario Rideau-Trent-Severn Program informing of the "CORTS Historical Planning and Research Study" to be undertaken.

(215) Ministry of Transportation and Communications statement of expenditure and subsidy for traffic signal installation or modernization for the year 1976, recommending payment to The Corporation of the City of Kingston of $11,296.00.

(216) Annual Report 1975-1976 from the Ministry of State for Urban Affairs Canada.

To Be Referred to the Transportation Committee

(217) From the Public Utilities Commission requesting the relocation of the bus stop on Robert Wallace Drive, east side of mackenzie Crescent, to a new location opposite Richardson Drive.

(218) From the Public Utilities Commission requesting "No Parking" regulations be established on one side of Compton Street for a temporary period of three months.

PETITIONS

REPORTS

REPORT NO. 36

March 31, 1977.

To the Mayor and Aldermen

The Community Services Committee reports and recommends as follows:

1. That the Council of the Corporation of the City of Kingston approves "*FOLKLORE '77*" as a Community Festival to be held June 10th, 11th and 12th, at the following locations within the City of Kingston:

   Ukrainian - Ukrainian Hall, 472 Bagot Street.
   Dutch - St. Patrick School, 158 Patrick St.
   Polish - Polish National Hall, 65 Russell St.
   Canadian - Calvin Park School, 164 Van Order Dr.
   Danish - Steelworkers Hall, Concession St.
   Scottish - Oddfellows Hall, 394 Princess St.
   Portuguese - Cathedral School, 301 Johnson St.
   Greek - Greek Community Hall, 119 Johnson St.

   subject to the approval of the School Boards with regard to the school facilities.

2. That the following resolution of the City of Sarnia BE ENDORSED:

   "That, Sarnia City Council petition the Honourable W. Darch McKeough, Treasurer of Ontario and Minister of Economics and Intergovernmental Affairs, for an amendment to the Municipal Act to provide that Municipal employees be granted immunity from personal liability in all areas of municipal operations in like manner to the immunity provided by Section 20 of the Building Code Act, 1974.".

   (Note: Section 20 (2) of Bill 62, "An Act to Provide for an Ontario Building Code" provides as follows:

   "No action or other proceedings for damages lies or shall be instituted against an inspector or chief official for an act or omission by him in good faith in the execution of his duty or for any alleged neglect or default in the execution in good faith of his duty.".)

3. That the following resolution of the Town of Valley East BE NOT ENDORSED:

   "WHEREAS our northern climate does not facilitate proper information dispersal by candidates to electors, and

   WHEREAS, the nearness of this date to Christmas, the financial strain at this time of the year, and the high possibility of inclement weather is badly affecting voters' turnout;

   THEREFORE BE IT RESOLVED that the Council of the Town of Valley East solicit:

   1) Other Municipal Councils in the Province,
   2) The Ontario Government,
   3) The Association of Municipalities of Ontario,

   to amend the Municipal Election Act to read that Ontario Municipal Elections shall be held on the first Monday in November beginning in the next election year 1978".

4. That the following persons be appointed to the Board of Management for the Downtown Improvement Area:

W. H. Caverly
Mark Spearn
Laurence Marans
Carl Kremel
Mrs. Frances Walsh.

(Note: The Council representatives are Alderman Allmark and Alderman Gorham.)

5. That the following resolution of the City of Windsor BE ENDORSED:

"WHEREAS the increase in the cost of living creates a hardship on citizens called for jury duty; and

WHEREAS the fees paid to jurors have not been increased for a considerable period of time;

THEREFORE BE IT RESOLVED that the Honourable Roy McMurtry, Attorney General of Ontario, be requested to consider the advisability of substantially raising the fees paid to jurors in both criminal and civil matters, to a more realistic level.".

Alderman Clements opposed.

6. That the following action be ratified and confirmed:

"That the charge for the noon meals for employees at Rideaucrest Home be increased to $1.00 per meal effective April 1st 1977, (recovery cost plus 15% for administration).

7. That an agreement be entered into with the Kingston Day Care Incorporated for the provision of day care services in 1977 containing the following conditions:

a) Payment of $12.95 per pupil per diem for ordinary children.

b) Payment of $19.42 per diem for handicapped children.

c) Payment of transportation cost of $1.50 per pupil day for those using the service.

d) Provision for a maximum amount of $40,000 in 1977, if required.

e) Provision for the term of the agreement to be January 1st 1977 to December 31st 1977.

8. That an agreement be entered into with the Association for Early Childhood Education for the provision of nursery services in 1977, containing the following conditions:

a) Payment of $2.50 per one-half day to Day Nurseries.

b) Provision of maximum amount of $10,800 in 1977, if required.

c) That there shall be no guarantee to refer any specific number of children.

d) That there shall be no re-negotiation of the rate of $2.50 per half-day session during the term of the agreement.

8. (cont'd).

   e) That the agreement shall be for the period January 1st 1977 to December 31st 1977.

9. That an agreement be entered into with the Family Day Care for the provision of Private Home Care for children of persons in need on the following conditions:

   a) Payment of $8.60 for each child per diem for private home care, less the fees, if any, payable by the child's parent.

   b) Fees payable by the child's parent shall be determined in accordance with the Regulations under the General Welfare Assistance Act.

   c) Provision for a maximum payment of $8,000 by the City during 1977, if required.

   d) Review of the parent's financial position if deemed necessary by the Administrator after each six month period.

   e) Term of January 1st 1977 to December 31st 1977 with provision for termination upon two months' written notice by either party.

10. That an agreement be entered into with the Canadian Red Cross Society (Kingston Branch) for the provision of nursing services during 1977 on the following conditions:

   a) If the financial circumstances of the person applying for homemaker services does not permit him to pay in full the required fees, the City will pay for such services either in full or part. The fees for said services shall be as follows:

      i) $30.00 per 8 hour day, or if less than 8 hours, the sum of $3.75 per hour, with a minimum of 2 hours payment.

      ii) the sum of $45.00 for each period of twenty-four hours service.

   b) Provision shall be made for a maximum amount of $15,000 to be paid by the City during 1977, if required.

   c) If the minimum wage is increased or other legislation is passed which affects the Society's personnel who provide homemaker services the rates are subject to revision.

   d) The agreement shall be for the period January 1st 1977 to December 31st 1977 with provision made for termination by either party upon 60 days written notice.

11. That an agreement be entered into with the Victorian Order of Nurses for the provision of nursing services during 1977 on the following conditions:

   a) If the financial circumstances of the person applying for this service does not permit him to pay in full the required fees, the City will pay for such services either in full or part. The fee for said services shall be $11.00 per visit.

   b) A maximum amount of $1,500 is to be paid by the City during 1977, if required.

   c) The agreement shall be for the period January 1st 1977 to December 31st 1977.

11. (cont'd).

(NOTE: With regard to Clauses 7 to 11 costs will be shared 80/20 with the Provincial Government. The maximums shown have been approved in the 1977 budget.)

Respectfully submitted,

CHAIRMAN.

REPORT NO. 37

March 30, 1977

To the Mayor and Aldermen:

The Transportation Committee reports and recommends as follows:

1. That, as the conditions contained in the Subdivision Agreement for the Woolva Subdivision have been complied with and that a building permit may be issued for Lot 124, the one foot reserves be lifted at the end of North Park Drive, R.P. 1390 and Westmorland Road, R.P. 537.

Respectfully submitted,

CHAIRMAN

Parks and Recreation Report No.38

March 31, 1977

To the Mayor and Aldermen

The Parks and Recreation Committee recommends as follows -

1. That the following tenders in the total amount of $1762,60 plus Ontario Retail Sales Tax, for the supply of Foremen's work clothing (total of 7 employees), be accepted being the lowest tenders received -

To L.Kiwak, Tailor, Kingston

7 green blazers
14 beige trousers
14 grey trousers

To Newman's Men's Shop, Kingston

14 beige long sleeve shirts
14 beige short sleeve shirts

To Sainthill Levine Co Ltd., Toronto

14 green ties
14 brown ties

2. That notwithstanding the provisions of By-law No. 21 - A By-law Fixing the Rental to be Charged for Memorial Hall, Committee Rooms and Council Chamber - the Kingston Arts Council be permitted to use at no charge the Loyalist Room on April 6, 1977 from 8 pm to 10.30 pm for the purpose of holding their Annual General Meeting, it being understood that the Kingston Arts Council will be responsible for custodial charges in the event the meeting extends beyond the normal closing hour.

3. That notwithstanding the provisions of By-law No.19 - A By-law to Provide for the Regulation Use of Parks and Recreational Facilities of the Corporation - the Canadian Cancer Society be permitted to use at no charge three rooms at the Portsmouth Olympic Harbour on May 28, 1977 from 9.30 am to 12 noon for purpose of holding meetings.

Note — This permission is not to be interpreted to be a firm policy in dealing with requests of this type and it is understood that all future requests of a similar type will be considered on their own merits.

4. That By-law No. 19 - A By-law to Provide for the Regulation Use of Parks and Recreational Facilities of the Corporation - be amended to include the following rates for recreation swims in the Artillery Park swimming pool -

Adults	50¢ per one hour session
Children	25¢ per one hour session
Special rates	50 swims for $7.50 (15¢ per visit child or adult)

Respectfully Submitted,

Chairman.

Public Works Report No39

April 4, 1977

To the Mayor and Aldermen:

The Public Works Committee recommends as follows: -

1. That the following resolution be adopted and that copies be forwarded to the Honourable Darcy McKeough, Treasurer and Minister of Economics and Intergovernmental Affairs, other comparable municipalities and the Association of Municipalities of Ontario:

> *THAT WHEREAS the Public Transportation and Highway Improvement Act, Section 94 gives a person designated as the Road Superintendent the authority to close a road when necessitated by a project authorized by this Act and for a road entering upon or intersecting a King's Highway, Section 22 provides for closing, providing there is a bylaw with the consent of the Minister endorsed thereon.*
>
> *AND WHEREAS for all other road closings the Municipal Act commencing at Section 443 provides for this through a bylaw passed after notice is published at least once a week for four successive weeks and objections heard with the effective date to be when the bylaw is registered in the land registry office.*
>
> *AND WHEREAS the procedure under the Municipal Act is desirable for permanent road closings.*
>
> *AND WHEREAS this procedure is too time consuming and costly for closings of short duration for other projects such as sanitary sewers, watermains, steamlines, etc.*
>
> *BE IT RESOLVED that the province of Ontario be requested to initiate legislation to facilitate temporary road closings, not exceeding 8 weeks, for projects not authorized under the Public Transportation and Highway Improvement Act similar to that provided in the aforementioned Act.*

2. That the tenders for miscellaneous supplies be awarded in accordance with the Purchasing Agent's Summary of Tenders No. 77-8 with the exception of fill sand which is awarded to L. Riddle Trucking; all awards being the lowest tenders received.

3. That a bylaw be passed to authorize the entering into of a Connecting Link Agreement with the Minister of Transportation and Communications for the reconstruction of Princess St. from Ontario to King St, adequate funds having been provided for this project -

Total estimated cost........	$45,061.75
Corporation's share.........	$11,265.44
M.T.C. share................	$33,796.31

4. That the following resolution of the City of Windsor be not endorsed: -

> *That the Minister of Transportation and Communications BE REQUESTED to give consideration to changing the current subsidy categories of maintenance and new construction by adding a Winter Control category with subsidy to the new category being granted in the full amount expended in one year.*

Respectfully submitted,

Chairman

REPORT NO. 40

April 5, 1977.

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. WHEREAS an application has been submitted by Mr.M. Pereira to amend Zoning By-Law No. 8499 for an approximately 0.7 acre parcel of land located on the west side of Division Street north of Concession Street from A (one and two family) Residential to permit commercial, industrial and multiple family residential uses to occupy this site; and

   WHEREAS the proposed land uses would be incompatible with each other and with the surrounding neighbourhood, which is largely low density residential in character:

   THEREFORE BE IT RESOLVED that this Application, No. 1977-Z-147, be refused.

2. WHEREAS on November 10, 1975 Planning Board recommended and on November 24, 1975 Council approved proposed Amendment No. 80 to the Official Plan, which changes the designation from Industrial to Residential (Low Density) and Recreation, Parks and Open Spaces for approximately 120 acres north of Counter Street, west of Sir John A. Macdonald Boulevard extended, and south of the C.N.R. main line to permit a residential single family subdivision of approximately 216 units; and

   WHEREAS the Ministry of Housing, in a letter dated March 17, 1977 has recommended for consideration the following modification to Official Plan Amendment No. 80:

   > "Part B - Amendment is hereby modified by deleting the last paragraph beginning with the words, 'Implementation of this amendment ...' in its entirety, and replacing it with the following:
   >
   > 'Implementation of this amendment will take place by submission of a draft plan of subdivision to the Minister of Housing followed by subdivision and development agreements. However, prior to draft approval of the plan of subdivision by the Minister, a study shall be undertaken by the developer and approved by the City of Kingston and the Ministry of the Environment which will investigate the problems of sewage overflows in the North End Pumping Station area. Such a study shall, among other things, take into account historical flow patterns, infiltration, and contributions from new developments including the Nutana proposal, and will determine whether or not improvements to the station may be required to handle the projected sewage flows. The recommendations of this study shall be incorporated into any subdivision or development agreement.
   >
   > On the completion of the subdivision and development agreements, it is the City's intent to pass

2. (cont'd)

> implementing zoning by-law amendments, thus allowing the development to proceed'."

and

WHEREAS the developer, Nutana Properties Limited, in a letter dated April 4, 1977, state that they accept in principle the requirement for a study as set out in the modification:

THEREFORE BE IT RESOLVED that the Minister of Housing be notified that the proposed modification to Official Plan Amendment No. 80 is acceptable to the City.

3. WHEREAS the Alcan Industrial Estates draft plan of subdivision on Lots 20, 21 and 22, Concession II, City of Kingston (File 10T-24369) was duly approved under Section 33 of the Planning Act on April 2, 1974; and

WHEREAS Alcan Canada Products Limited has notified the Ministry of Housing that they are not in a position to fulfill all of the terms and conditions laid down by the draft plan of subdivision, as amended, prior to the expiry of three years from the date of initial approval; and consequently have requested an extention of 18 months to fulfill the terms of the said plan; and

WHEREAS the main reasons for not being able to comply within the said time period is that Alcan has been unable to find a developer whose objectives are compatible with their own, and that there has been a poor investment climate over the past year; and

WHEREAS the Ministry of Housing has asked for a recommendation from the City as to whether the draft approval should be extended:

BE IT RESOLVED that it be recommended to the Ministry of Housing that draft approval for the said Alcan Industrial Estates Subdivision be extended from April 2, 1977 to October 2, 1978.

4. WHEREAS on March 28, 1977 Council accepted the Planning Board recommendation for development of vacant Neighbourhood Improvement Program sites for moderate income housing under the Assisted Home Ownership Program, including provision for approval by Council of a Selection Committee to include one representative each from the City Planning Department, Central Mortgage and Housing Corporation, the Neighbourhood Improvement Area Citizens' Committee, Planning Board and the general public:

RESOLVED that the following persons be appointed to the Selection Committee:

Mr. Claude Clement:	Chairman, N.I.P. Area Citizens Committee;
Mr. Douglas Ewart:	Manager, Central Mortgage and Housing Corporation;
Mr. Eric Thrift:	General Public (and Housing Sub-Committee member);
Mr. G. G. Muirhead:	Planning Department; and
Mrs. Ruth Bryson:	Member of Planning Board.

Respectfully submitted,

(CHAIRMAN)

REPORT NO. 41

April 6, 1977

To the Mayor and Members of Council:

The Committee on Finance and Accounts reports and recommends as follows:

1. That, as recommended by the Architects, Domink Polson Thompson Laframboise Mallette, the following change orders to T. A. Andre and Sons Ltd., for work as follows at 329 Johnson Street be approved:

   Change Order No. 10: - $80.25

   a) Laminate a ½" layer of gypsum board to the General Office side of Vault block wall, and

   b) Omit taping and finishing all wall joints in Boiler and Tank Room.

   Change Order No. 12: - $233.31

   Supply and installation of a framed one-way observation window.

2. That the Account of Domink Polson Thompson Laframboise Mallette, Architects and Engineers, in the amount of $3,272.70 for architectural services re: 329 Johnson Street be authorized for payment.

3. That, as recommended by the City Treasurer, pursuant to the provisions of section 636a of *The Municipal Act*, the applications of the persons and firms listed on Schedule "A", attached hereto, for cancellation or refund of commercial, residential or business taxes for 1976 in the total amount of $13,456.09 be approved.

4. That the account of Weir & Foulds, Barristers and Solicitors, Toronto, in the amount of $14,591.61 for professional services and disbursements ($741.61) for representing the City of Kingston before the Ontario Municipal Board concerning Zoning By-Law No. 8499 be authorized for payment, to be charged to Kingston Planning Board appropriation "Zoning By-Law Amendments".

5. WHEREAS on September 22, 1975 DeLeuw Cather, Consulting Engineers and Planners were authorized to prepare a traffic study of the Neighbourhood Improvement Area at a total cost not to exceed $35,500. which amount was amended to $36,600. on May 10, 1976;

   AND WHEREAS the consultants and the N.I.P. Citizens Committee advise that a further allocation is required to complete the study:

   THEREFORE BE IT RESOLVED, THAT as recommended by the City of Kingston Planning Board:

   (a) $5,000. be transferred within the N.I.P. section of the Planning and Housing budget from "Land for Social/Public Housing" to "Service & Utilities" (Traffic Survey); and

   (b) the consultants are hereby authorized to complete the study in accordance with an approved work schedule with payment to the consultants to be approved on the completion of each authorized portion of the work schedule as recommended by the Director of Planning upon consultation with the Chairman of the Planning Board and the Chairman of the N.I.P. Citizens Committee.

Ald. Hawkins, Ald. Matthews
Opposed

6. WHEREAS the following summary of expenditures by Department of Public Works (Canada) as the City's share of the marine works of the Portsmouth Harbour Marina has been received:

	PROJECT	EXPENDITURE
(1)	DREDGING	$ 14,052.40
(2)	BERM CONSTRUCTION	75,477.65
(3)	FLOATING RAMPS & WALKWAYS	379,289.62
(4)	FACEWALL& FIXED RAMPS - STAGE 5	523,127.96
(5)	MECHANICAL & ELECTRICAL SERVICES	213,450.12
(6)	KINGSTON OLYMPIC FENCE	1,599.51
	TOTAL	$1,206,997.26
	DEDUCT: ADVANCE FROM CITY OF KINGSTON	1,199,248.06
	BALANCE DUE D.P.W.	$ 7,749.20

AND WHEREAS Public Works (Canada) reports:

(A) That the following unexpected items of work contributed to the overrun:

a)	Repairs to watermains (materials only)	$2,320.00
b)	Harbour clean-up (City share)	2,851.00
c)	Removal of rock pinnicles adjacent to the face wall	1,600.00
d)	Securing of the float mooring lines	3,136.00, and

(B) That "as-built" plans of the marine works of the Portsmouth Harbour Marina are presently being prepared and will be supplied to the City when completed (which action will terminate the role of Public Works as Marine Consultant to the City):

THAT the sum of $7,749.20 is hereby authorized for payment to the Receiver General of Canada as the balance of the City's share of the off-shore facilities at the Portsmouth Olympic Harbour, to be charged to the Olympic Capital Budget account.

-and-

that the thanks of the Corporation of the City of Kingston be extended to Public Works Canada, Ontario Region, and their staff for their excellent work on behalf of the City of Kingston.

7. That the provisions of the 1977 Budget appropriation, "Finance - Tourist Promotion" in the amount of $40,701. for the operation of the Kingston Tourist and Visitors' Bureau be confirmed, on the understanding that any additional funds received by the Bureau from other sources will be made available to the Bureau rather than being deducted from the City's budgeted funds and that the Bureau will report to Council, by December 31, 1977, on the use of these funds, for the aims and objectives of the Bureau.

8. That the account of The Public Utilities Committee of the City of Kingston in the amount of $23,353.90 for construction of a 12" watermain across Artillery Park to supply water for fire protection for the proposed O.H.C. Senior Citizens apartment between Rideau and Bagot Streets, south of Ordnance Street, is hereby authorized for payment, to be charged to the Planning Board appropriation "Housing Capital Contribution" which was provided this year for this purpose.

(Note: Construction of the Watermain was authorized by R.79(3) 1976 at an estimated cost of $24,000. to be recovered from Grants received under the Municipal Incentive Grant Program of C.M.H.C.)

9. That, as recommended by the Parks and Recreation Committee, a chain link fence, 10 feet high and approximately 1000 feet long, is hereby authorized to be constructed along the new east boundary of Portsmouth Olympic Harbour adjacent to the west wall of Kingston Penitentiary to specifications agreeable to the Federal Solicitor General's Department at an estimated total cost of $10,000. as part of the 1977 Olympic Harbour Marina Improvement Work of the Department of Fisheries and the Environment, on the understanding:

a) that the Department of Fisheries and the Environment will provide one-half the cost of the fence (estimated contribution = $5,000.);

b) that the City of Kingston will provide one-half the cost of the fence and that this amount, estimated to be $5,000., is hereby authorized to be charged to the Olympic Capital Budget Account; and

c) that the City of Kingston Parks and Recreation Department will be responsible for the construction of the fence and that tenders for its construction will be called for in due course.

10. That "By-Law No. 1, 1966, a By-Law to Regulate Council Procedures" is hereby amended:

(A) by deleting section 60(B)1 and by substituting therefore the following:

"60(B)1. Where an expenditure has not been authorized by Council, the head of a department may incur an expenditure not exceeding $5,000.00 for a given object of expenditure, except travelling expenses, in any calendar month, provided a sufficient unencumbered appropriation is available for this purpose and provided that the following procedure has been carried out.

(1) On supplies or equipment items costing between $100.00 and $500.00 the department head shall request the Director of Purchasing to obtain three quotations where possible by telephone. The department head shall accept the recommendation of the Director of Purchasing on the quotation to be accepted.

10. (A)(Cont'd)

(2) On supplies or equipment items costing between $500.00 and $5,000.00 the department head shall request the Director of Purchasing to obtain at least three written quotations, where possible. The department head shall accept the recommendation of the Director of Purchasing on the quotation to be accepted.

(3) The Director of Purchasing shall note the competitive quotations on his copy of the purchase requisition which shall remain on file in his office, or that there is only one supplier.";

(B) by repealing section 61; and

(C) by deleting section 62(a) and by substituting therefore the following:

"62(a). All work, labour, materials, goods, wares or merchandise beyond the amount stated in Section 60(B) of the By-Law be contracted for by Council after due notification to possible suppliers or contractors, and that the Mayor or Chairman or Vice-Chairman of the Committee calling for tenders, together with the Clerk-Comptroller or Department Head, are authorized to accept tenders over $5,000.00 and up to $10,000.00, and the Mayor and Clerk-Comptroller are authorized to sign the contract documents if a contract is necessary, providing:

(1) there is sufficient budget appropriation for the expenditure;

(2) the lowest tender is accepted that complies with tender specifications."

11. That the account of Mathews, Dinsdale & Clark, Barristers & Solicitors, Toronto, in the amount of $1,301.46 for professional services and disbursements ($126.46) for acting as counsel for the City of Kingston at the Arbitration concerning the Kingston Professional Firefighters Association in November, 1976, be authorized for payment.

12. That, pursuant to *The Public Transportation and Highway Improvement Act* a request for an allocation of subsidy moneys for public transportation for the year 1977 in the following total amounts is hereby authorized:

$242,486.	for the Capital Asset Assistance Program
$388,294.	for Transit Operating Deficit.

13. That the Mayor and City Clerk-Comptroller be authorized, on behalf of The Corporation of the City of Kingston, to execute a deed from Mastercraft Construction Corporation Limited to the City of Kingston for a "right-of-way for persons," over the lands of Block "F", Registered Plan 1658, City of Kingston, (leading from Aberfoyle Road easterly over the "Quarry") which will contain the following covenants:

13. (Cont'd)

> "The Corporation of the City of Kingston does not accept any responsibility for the maintenance of the lands herein nor any liability for any injuries arising out of the use of the said lands.
>
> It is the intent of both the Grantor and the Grantee that the lands be left predominently in a natural state and the grantee shall not make any demands of the Grantor, or its successors and assigns in regard to the maintenance or state of the said lands, provided however that nothing shall stop or interfere with the Grantor or its successors and assigns for voluntarily altering, improving or clearing the said lands from time to time if it deems it necessary or expedient."

14. That the Cataraqui Region Conservation Authority be requested to establish a program for the acquisition of the property known as the "Auld Subdivision" on King Street West, as each of the properties therein becomes available for purchase, in order to provide open space recreation lands in the Little Cataraqui Creek corridor adjacent to flood plain lands, on the understanding that the City of Kingston will be responsible for 50% of the acquisition costs.

Respectfully submitted,

CHAIRMAN

1976 TAX ADJUSTMENT APPLICATIONS UNDER
SECTION 636a OF THE MUNICIPAL ACT, R.S.O. 1970

ROLL NUMBER	APPLICANT	ADDRESS OF TAXES APPEALED	PERIOD (MONTHS)	BUS. RES. COM.	EXPLANATION	REFUND		CANCELLATION	
						PUBLIC	SEPARATE	PUBLIC	SEPARATE
010-010-02000	Lorfam Limited	218 King St. E.	10	C to R	Vacant	34.20			
010-020-02800	David Fairbairn	83-85 Gore St.	4	R	Conversion	2.49			
010-020-05800	Federal Government	Ontario St.	12	R	Exempt	2,634.38			
010-080-00700	Queen's University	135-139 Union St.	12	R	Conversion			565.68	
010-090-05400	Maryse Smits	122 Bagot St.	12	R	Conversion		151.07		
010-100-04200	Peter Crawford	46 Sydenham St.	12	R	Conversion			299.16	
010-110-06400	City of Kingston	236 Bagot St.	12	R	City Owned			343.35	
010-130-03300	Woharco Investments	200 Ontario St.	4	C to R	Vacant	179.09			
010-130-04400	City of Kingston	251 Ontario St.	7	R	City Owns			1,077.98	
010-130-10100-0080	Charlotte Dorn	68 Princess St.	1	B	Relocated	5.64			
010-140-07000-0050	The T. Eaton Co. Limited	270 Princess St.	7	B	Bus. Disc.	1,221.87			
020-080-12000	E. M. Waters	593 Johnson St.	12	R	Conversion		131.57		
020-100-00300-0020	Francis & Bernice Dee	181 Alfred St.	12	B	Bus. Disc.			14.77	
030-040-03700-0010	Benny & Alice Ryce	345 Princess St.	2	B	Relocated	45.44			
030-040-03700-0010	Benny & Alice Ryce	345 Princess St.	2	B	Relocated			12.91	

ROLL NUMBER	APPLICANT	ADDRESS OF TAXES APPEALED	PERIOD (MONTHS)	BUS. RES. COM.	EXPLANATION	REFUND		CANCELLATION	
						PUBLIC	SEPARATE	PUBLIC	SEPARATE
030-060-00200	City of Kingston	80-90 York St.	12	R	City Owned			1,047.73	
030-060-08200	City of Kingston	42 York St.	5	R	City Owned				68.87
030-070-02200	Gordon Tompkins Funeral Home	49 Colborne St.	1	R & C	Fire	54.17	60.87		
030-070-02200-0010	Gordon Tompkins Funeral Home	49 Colborne St.	1	B	Bus. Disc.		33.53		
030-080-10200	Hyman Soloway	155-159 Princess St.	9	C to R	Vacant			943.42	
030-100-01901	City of Kingston	19-23 Queen St.	12	C C	City Owned			267.88	
030-100-02000	Greenwood Bros. Ltd.	400-412 King St. E.	1	C to R	Fire			278.05	
030-100-02000-0010	Joseph Abramsky & Sons Ltd.	400-412 King St. E.	2	B	Relocated			212.71	
030-100-02200	Greenwood Bros. Limited	57 Queen St.	12	C to R	Residential	165.76			
030-110-00100	City of Kingston	Montreal St. Rear	6	R	City Owns			17.77	
030-110-00200	City of Kingston	133 Montreal St.	6	R	City Owns			86.93	
030-110-00300	City of Kingston	135 Montreal St.	6	R	City Owns			34.03	41.42
030-110-00400	City of Kingston	137 Montreal St.	6	R	City Owns			74.49	
030-110-00500	City of Kingston	141 Montreal St.	6	R	City Owns			151.13	
030-110-00600	City of Kingston	143 Montreal St.	6	R	City Owns			61.37	49.81

ROLL NUMBER	APPLICANT	ADDRESS OF TAXES APPEALED	PERIOD (MONTHS)	BUS. RES. COM.	EXPLANATION	REFUND		CANCELLATION	
						PUBLIC	SEPARATE	PUBLIC	SEPARATE
030-110-00700	City of Kingston	145 Montreal St.	6	R	City Owns			57.86	48.90
030-110-00800	City of Kingston	147 Montreal St.	6	R	City Owns			139.30	
030-110-00900	City of Kingston	94 Bay St.	6	R	City Owns			51.73	
030-110-01000	City of Kingston	92 Bay St.	6	R	City Owns			51.73	
030-110-01100	City of Kingston	90 Bay St.	6	R	City Owns			107.45	
030-120-01100	City of Kingston	1 Millers Lane	12	R	City Owns			172.02	
030-120-01200	City of Kingston	3 Millers Lane	12	R	City Owns			113.54	
040-010-13200-0020	Michael Lenser	5 Orchard St.	2	B	Bus. Disc.			6.76	
040-010-18800	Edifax Development Co. Ltd.	469 Montreal St.	8	C	Assess. Error			850.00	
040-040-07200	City of Kingston	66 Markland St.	12	R	City Owns			180.82	
040-040-07300	City of Kingston	64 Markland St.	12	R	City Owns			140.73	
040-040-07400	City of Kingston	62 Markland St.	12	R	City Owns			201.93	
040-090-08000	Ranjit Chahal	102 Joseph St.	12	R	Assess. Error	489.53			
040-110-22201-0020	Condie Pontiac Buick Ltd.	143 Hagerman	2	B	Relocated			27.80	
040-130-07100	City of Kingston	Montreal St.	12	C	City Owns			79.58	

ROLL NUMBER	APPLICANT	ADDRESS OF TAXES APPEALED	PERIOD (MONTHS)	BUS. RES. COM.	EXPLANATION	REFUND		CANCELLATION	
						PUBLIC	SEPARATE	PUBLIC	SEPARATE
040-130-19000-0010	Osprey Woodcrafts (Kingston) Ltd.	931 Montreal St.	5	B	Bus. Disc.			129.18	
050-050-07500-0020	Zenith Electric Supply Ltd.	857 Princess St.	1	B	Relocated	14.46			
050-050-07500-0030	Zenith Electric Supply Ltd.	857 Princess St.	1	B	Relocated	175.56			
060-010-01400-0010	Thos. N. Shea Ltd.	391 Bath Rd.	1	B	Relocated	47.67			
						5,070.26	377.04	7,799.79	209.00

TOTAL TAX ADJUSTMENTS 13,456.09

UNFINISHED BUSINESS

BY-LAWS

(A) That By-Laws 1 to 3 be given their first and second readings.

(B) That Rule 35 of By-Law No. 1 be suspended for the purpose of giving By-Laws 1 to 3 their third reading.

(C) That By-Laws 1 to 5 be given their third reading.

(1) A By-Law to Dedicate Certain One Foot Reserves on Registered Plans 1390 and 537 as Part of North Park Drive and Part of Westmorland Road.

(THREE READINGS) (PROPOSED NO. 9012)
Clause 1, Report No. 37, 1977

(2) A By-Law to Authorize the Execution of a Proposal and Estimate of Cost Pursuant to an Agreement with Her Majesty the Queen, In Right of the Province of Ontario, as Represented by the Minister of Transportation and Communications, Entered into under The Public Transportation and Highway Improvement Act, R.S.O. 1970, Chapter 201

(THREE READINGS) (PROPOSED NO. 9013)
Clause 3, Report No. 39, 1977

(Note: For reconstruction of Princess Street from Ontario to King Street.)

(3) A By-Law to Confirm the Proceedings of Council at Its Meeting held on April 12, 1977.

(THREE READINGS) (PROPOSED NO. 9014)
City Council Meeting No. 11

(4) A By-Law to Authorize the Construction of a Sanitary Sewer in Counter Street from the Existing Sewer in Counter Street 235 Feet West of the Former Sir John A. MacDonald Blvd. Allowance Easterly 199 Feet Under the Provisions of Section 7 of the Local Improvement Act (Petition).

(THIRD READING) (PROPOSED NO. 8941)
Clause 5, Report No. 109, 1976

BY-LAWS (Cont'd)

(5) A By-Law to Authorize the Construction of a Storm Sewer in Palace Road from Brock Street to 38 Feet South of Carruthers Avenue, Including an Outlet at the Corporation's Expense, Under the Provisions of Section 7 of the Local Improvement Act (Petition).

(THIRD READING) (PROPOSED NO. 8964)
Clause 24, Report No. 126, 1976

MOTIONS

Local Govt.

CITY COUNCIL MEETING NO. 11

The Regular Meeting of City Council was held in the Council Chamber at City Hall on Tuesday, April 12, 1977 at 8:01 P.M. His Worship, Mayor Keyes presided.

ROLL CALL

Mayor Keyes, Ald. Allmark, Ald. Breen, Ald. Clements, Ald. French, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Mackenzie, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb. (15)

TABLING OF DOCUMENTS

(1) 1976 Audit Report of The Corporation of the City of Kingston by Thorne Riddell & Co.

(2) 1976 Audit Report of "Rideaucrest" Home for the Aged by Thorne Riddell & Co.

(3) 1976 Audit Report of The Public Utilities Commission of the City of Kingston by Thorne Riddell & Co.

(4) Fourth and Final Report, Lennox and Addington County Study by C. R. Tindal entitled:

"THE END of the study

AND

THE BEGINNING of reform"

COMMUNICATIONS

Council consented to the addition of Communications 219 to 225.

Filed

(190) Letter of thanks from the Board of Trade of Metro Toronto on Council's support for their resolution and for Council's continuing support on the Toronto Island Airport issue.

(191) Letter from Ontario Municipal Board confirming that the 1977 interim quota has been established in the amount of $314,000.

(192) Letter of acknowledgement from the Hon. Keith Norton, Minister of Community and Social Services, in regard to resolutions, requesting gun control legislation and recommending stricter penalties and financial restitution for acts of vandalism and public mischief.

(193) Report from the Bureau of Municipal Research on "Disappearing Farmland: So What?"

(Note: Copies have been distributed to Members of Council.)

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COMMUNICATIONS (Cont'd)

Filed (cont'd)

(194) From the Ministry of Consumer and Commercial Relations a directive concerning Chief Building Officials and Building Inspectors as follows:

"Every chief building official and inspector appointed by the Council of a municipality under The Building Code Act, 1974, may allow to be published, disclosed or communicated any information, material, statement or result of any test acquired, furnished, obtained, made or received in day-to-day operations under the power conferred under The Building Code Act and the building code.

Day-to-day operations are not considered to include,

- *inquiries under section 29 of The Building Code Act, 1974*
- *Authorizations made by the Building Materials Evaluation Commission for the use of any innovative material, technique or building design.*

This Directive is made pursuant to Sub-Section 4 of Section 22 of The Building Code Act, 1974.

(195) Minutes of the Executive of the Cataraqui Region Conservation Authority held on March 9th, 1977.

(196) Minutes of the Kingston Suburban Road Commission meeting held on March 24, 1977 and also March 3rd, 1977.

(197) Minutes of Meeting of the Kingston Tourist & Visitors' Bureau held on Thursday, March 17, 1977.

(198) Letter from the Public Utilities Commission notifying they are making modifications to buses in order to make it easier for the handicapped and elderly to use the bus system.

(199) From Thorne Riddell & Co. a copy of "FOCUS - on the Federal Budget, March 31, 1977".

(200) Letter from the Minister of Housing approving, in principle, the City of Kingston's request for Provincial grant under the Ontario Home Renewal Program, and enclosing a cheque in the amount of $50,000 as an accountable advance.

(201) Letter from Zonta Club of Kingston expressing their interest and concern for automatic doors for the new library building, also enclosing a copy of "Guide to Kingston for the Handicapped".

(202) From the Bureau of Municipal Research booklet "Civic Affairs" entitled "Be it Ever so Humble: The Need for Rental Housing in the City of Toronto".

(Note: Copies have been Distributed to Members of Council).

(203) Copy of the Annual Report of the Children's Aid Socity of the City of Kingston and County of Frontenac for the Year 1976.

(204) Letter of thanks from Mrs. Anne MacDermaid on the approval of her appointment as City Archivist.

(205) Copy of *Ontario Finances* from the Honourable W. Darcy McKeough, Treasurer of Ontario, dated March 31, 1977.

COMMUNICATIONS (Cont'd)

Filed (cont'd)

(206) From Bureau of Municipal Research a report on "Design for Development: Where Are You?", March 1977.

(Note: Copies have been distributed to all members of Council).

(207) Copy of the Bureau of Municipal Research bulletin "In Review" dated March 1977.

(Note: Copies have been distributed to Members of Council.)

(208) From the Ontario Municipal Board enclosing their Order approving the issue of $1,000,000. debentures for the new Public Library under By-Law No. 8986.

(209) Copies of "*Background*" dated March 18 and 25, 1977 from the Honourable Darcy McKeough, Treasurer of Ontario.

(Note: Copies have been distributed to all members of Council.)

(210) From Canada-Ontario Rideau-Trent-Severn Advisory Committee with a listing of the 1977 Schedule of public meetings and enclosing copy of their report "Boating - Speed, Wake and Safety".

(211) City of Kingston Public Library Board financial statement for the year ended December 31, 1976, prepared by Thorne Riddell & Co., Chartered Accountants.

Referred to the Finance Committee and the Police Commission

(212) From the City of Windsor requesting endorsation of their following resolution:

"That the Ontario Police Commission and theAttorney General of Ontario BE REQUESTED to reconsider the need for a separate Police controlled computer in view of the substantial cost which would be incurred by Ontario municipalities."

and enclosing copy of their Commissioner of Finance's report dated March 4, 1977.

Which Had Been Referred to City of Kingston Planning Board

(213) From Homestead Land Holdings Limited, requesting clarification of present Official Plan of Lots 31 to 36 inclusive. Original Survey, North-west side of Ontario Street, between Lower Union and West Streets, in order to clarify the area as "high density".

Filed

(214) From Canada-Ontario Rideau-Trent-Severn Program informing of the "CORTS Historical Planning and Research Study" to be undertaken.

(215) Ministry of Transportation and Communications statement of expenditure and subsidy for traffic signal installation or modernization for the year 1976, recommending payment to The Corporation of the City of Kingston of $11,296.00.

(216) Annual Report 1975-1976 from the Ministry of State for Urban Affairs Canada.

COMMUNICATIONS (Cont'd)

Referred to the Transportation Committee

(217) From the Public Utilities Commission requesting the relocation of the bus stop on Robert Wallace Drive, east side of mackenzie Crescent, to a new location opposite Richardson Drive.

(218) From the Public Utilities Commission requesting "No Parking" regulations be established on one side of Compton Street for a temporary period of three months.

Filed

(219) From the Kingston Symphony Association thanking the Members of Council for notice of approval of their grant for 1977.

(220) From The Gadabouts thanking the Members of Council for notice of approval of their grant for 1977.

(221) Booklet entitled *Getting More for Consulting Dollars - A Guide for Municipalities in Ontario* prepared by the Local Government Division, Advisory Services Branch, Ministry of Treasury, Economics and Intergovernmental Affairs.

(222) From the Public Utilities Commission of the City of Kingston a copy of the auditor's report of the Public Utilities Commission of the City of Kingston for the period ended December 31, 1976.

Referred to the Transportation Committee

(223) From the Ministry of Transportation and Communications reminding of the fast approaching deadline for metric conversion with respect to traffic regulation and control devices.

The period from September 1, 1977 to September 30, 1977 has been designed as the changeover period for speed limits and that the legality of non-metric signs will end at midnight on September 30.

They suggest that it would be desirable in the interest of clarity and to facilitate enforcement procedures that existing by-laws be amended in the near future.

They note, with respect to changeover of signing, that overlays are available to be placed on existing signs.

Referred to the City of Kingston Planning Board and to the Mayor's Waterfront Committee

(224) From The Association of Women Electors of Kingston Area requesting that the proposed amendment to the Official Plan and the rezoning of the Kingston Yacht Club property be deferred until:

(1) The ambiguities with respect to the boundaries of the proposed area to be rezoned are clarified. The lines between the Yacht Club property and the public street ends extended should be clearly marked on the map.

(2) The boundaries should not be drawn in such a way as to deny public access to the water. Public access to the water at the street ends of Maitland and Simcoe Streets should be specifically defined and protected in the Official Plan amendment and in the zoning by-law. The street ends extended should be defined and protected for public access.

COMMUNICATIONS (Cont'd)

To Be Referred to the City of Kingston Planning Board and to the Mayor's Waterfront Committee (Cont'd)

(224) (Cont'd)

(3) If necessary, the agreement between the City and the KYC should be amended to take into account the accretion problem and to further protect public access. The boundary between the Yacht Club and the public access areas should be clearly marked at the site.

(4) The proposed Official Plan and zoning amendment should be deferred until the whole question of public interest and jurisdiction at municipal street ends is investigated by the Mayor's Waterfront Committee, to which body the question has been referred.

(Note: Copy of letter distributed to each Member of Council.)

Which Had Been Referred to the City of Kingston Planning Board and to the Transportation Committee

(225) From Hudson-Elliott Incorporated, Development Planners and Consultants, Toronto, objecting on behalf of their clients Benson Centre Developments Limited to the City of Kingston zoning By-Law Number 8992 which rezones 1.03 acres on the east side of Division Street, north of Weller Avenue, from C2.101 to C2 (Arterial Commercial).

REPORTS

Ald. Miller presented Report No. 36 of the Community Services Committee as follows:

Moved by Ald. Miller,
Seconded by Ald. Tarnowecky,

That Report No. 36 of the Community Services Committee be received and adopted clause by clause.

REPORT NO. 36

March 31, 1977.

To the Mayor and Aldermen

The Community Services Committee reports and recommends as follows:

1. That the Council of the Corporation of the City of Kingston approves "*FOLKLORE '77*" as a Community Festival to be held June 10th, 11th and 12th, at the following locations within the City of Kingston:

Ukrainian - Ukrainian Hall, 472 Bagot Street.
Dutch - St. Patrick School, 158 Patrick St.
Polish - Polish National Hall, 65 Russell St.
Canadian - Calvin Park School, 164 Van Order Dr.
Danish - Steelworkers Hall, Concession St.
Scottish - Oddfellows Hall, 394 Princess St.
Portuguese - Cathedral School, 301 Johnson St.
Greek - Greek Community Hall, 119 Johnson St.

subject to the approval of the School Boards with regard to the school facilities.

CARRIED

REPORTS (Cont'd)

Report No. 36 - The Community Services Committee (Cont'd)

2. That the following resolution of the City of Sarnia BE ENDORSED:

"That, Sarnia City Council petition the Honourable W. Darch McKeough, Treasurer of Ontario and Minister of Economics and Intergovernmental Affairs, for an amendment to the Municipal Act to provide that Municipal employees be granted immunity from personal liability in all areas of municipal operations in like manner to the immunity provided by Section 20 of the Building Code Act, 1974.".

(Note: Section 20 (2) of Bill 62, "An Act to Provide for an Ontario Building Code" provides as follows:

"No action or other proceedings for damages lies or shall be instituted against an inspector or chief official for an act or omission by him in good faith in the execution of his duty or for any alleged neglect or default in the execution in good faith of his duty.".)

CARRIED 14:1
(Ald. Webb Opposed)

3. That the following resolution of the Town of Valley East BE NOT ENDORSED:

"WHEREAS our northern climate does not facilitate proper information dispersal by candidates to electors, and

WHEREAS, the nearness of this date to Christmas, the financial strain at this time of the year, and the high possibility of inclement weather is badly affecting voters' turnout;

THEREFORE BE IT RESOLVED that the Council of the Town of Valley East solicit:

1) Other Municipal Councils in the Province,
2) The Ontario Government,
3) The Association of Municipalities of Ontario,

to amend the Municipal Election Act to read that Ontario Municipal Elections shall be held on the first Monday in November beginning in the next election year 1978".

CARRIED 11:4
(Ald. Allmark, Ald. Hawkins, Ald. Mackenzie, Ald. Matthews Opposed)

4. That the following persons be appointed to the Board of Management for the Downtown Improvement Area:

W. H. Caverly
Mark Spearn
Laurence Marans
Karl Kramil
Mrs. Frances Walsh.

(Note: The Council representatives are Alderman Allmark and Alderman Gorham.)

CARRIED

REPORTS (Cont'd)

Report No. 36 - The Community Services Committee (Cont'd)

5. That the following resolution of the City of Windsor BE ENDORSED:

"WHEREAS the increase in the cost of living creates a hardship on citizens called for jury duty; and

WHEREAS the fees paid to jurors have not been increased for a considerable period of time;

THEREFORE BE IT RESOLVED that the Honourable Roy McMurtry, Attorney General of Ontario, be requested to consider the advisability of substantially raising the fees paid to jurors in both criminal and civil matters, to a more realistic level.".

CARRIED 14:1
Alderman Clements opposed.

6. That the following action be ratified and confirmed:

That the charge for the noon meals for employees at Rideaucrest Home be increased to $1.00 per meal effective April 1st 1977.

CARRIED 14:1
(Ald. Hawkins Opposed)

7. That an agreement be entered into with the Kingston Day Care Incorporated for the provision of day care services in 1977 containing the following conditions:

a) *Payment of $12.95 per pupil per diem for ordinary children.*

b) *Payment of $19.42 per diem for handicapped children.*

c) *Payment of transportation cost of $1.50 per pupil day for those using the service.*

d) *Provision for a maximum amount of $40,000 in 1977, if required.*

e) *Provision for the term of the agreement to be January 1st 1977 to December 31st 1977.*

CARRIED

8. *That an agreement be entered into with the Association for Early Childhood Education for the provision of nursery services in 1977, containing the following conditions:*

a) Payment of $2.50 per one-half day to Day Nurseries.

b) Provision of maximum amount of $10,800 in 1977, if required.

c) That there shall be no guarantee to refer any specific number of children.

d) That there shall be no re-negotiation of the rate of $2.50 per half-day session during the term of the agreement.

e) That the agreement shall be for the period January 1st 1977 to December 31st 1977.

CARRIED

REPORTS (Cont'd)

Report No. 36 - The Community Services Committee (Cont'd)

9. That an agreement be entered into with the Family Day Care for the provision of Private Home Care for children of persons in need on the following conditions:

   a) *Payment of $8.60 for each child per diem for private home care, less the fees, if any, payable by the child's parent.*

   b) *Fees payable by the child's parent shall be determined in accordance with the Regulations under the General Welfare Assistance Act.*

   c) *Provision for a maximum payment of $8,000 by the City during 1977, if required.*

   d) *Review of the parent's financial position if deemed necessary by the Administrator after each six month period.*

   e) *Term of January 1st 1977 to December 31st 1977 with provision for termination upon two months' written notice by either party.*

CARRIED

10. That an agreement be entered into with the Canadian Red Cross Society (Kingston Branch) for the provision of homemaker services during 1977 on the following conditions:

    a) *If the financial circumstances of the person applying for homemaker services does not permit him to pay in full the required fees, the City will pay for such services either in full or part. The fees for said services shall be as follows:*

       i) *$30.00 per 8 hour day, or if less than 8 hours, the sum of $3.75 per hour, with a minimum of 2 hours payment.*

       ii) *the sum of $45.00 for each period of twenty-four hours service.*

    b) *Provision shall be made for a maximum amount of $15,000 to be paid by the City during 1977, if required.*

    c) *If the minimum wage is increased or other legislation is passed which affects the Society's personnel who provide homemaker services the rates are subject to revision.*

    d) *The agreement shall be for the period January 1st 1977 to December 31st 1977 with provision made for termination by either party upon 60 days written notice.*

CARRIED

11. That an agreement be entered into with the Victorian Order of Nurses for the provision of nursing services during 1977 on the following conditions:

    a) *If the financial circumstances of the person applying for this service does not permit him to pay in full the required fees, the City will pay for such services either in full or part. The fee for said services shall be $11.00 per visit.*

    b) *A maximum amount of $1,500 is to be paid by the City during 1977, if required.*

    c) *The agreement shall be for the period January 1st 1977 to December 31st 1977.*

REPORTS (Cont'd)

Report No. 36 - The Community Services Committee (Cont'd)

11. (cont'd).

(NOTE: With regard to Clauses 7 to 11 costs will be shared 80/20 with the Provincial Government. The maximums shown have been approved in the 1977 budget.)

CARRIED

Respectfully submitted,

(Signed)

Lois Miller (Chairman)
Yuri Tarnowecky
B. E. Breen
John Clements
N. E. McArthur

* * *

Ald. Gerretsen presented Report No. 37 of the Transportation Committee as follows:

Moved by Ald. Gerretsen,
Seconded by Ald. Clements,

That Report No. 37 of the Transportation Committee be received and adopted.

REPORT NO. 37

March 30, 1977

To the Mayor and Aldermen:

The Transportation Committee reports and recommends as follows:

1. That, as the conditions contained in the Subdivision Agreement for the Woolva Subdivision have been complied with and that a building permit may be issued for Lot 124, the one foot reserves be lifted at the end of North Park Drive, R.P. 1390 and Westmorland Road, R.P. 537.

(See By-Law 1: No. 9012) *CARRIED*

Respectfully submitted,

(Signed)

J. P. Gerretsen (Chairman)
John Clements
T. D. French
Yuri Tarnowecky
G. L. Webb

* * *

REPORTS (Cont'd)

Ald. Matthews presented Report No. 38 of the Parks and Recreation Committee as follows:

Moved by Ald. Matthews,
Seconded by Ald. Gorham,

That Report No. 38 of the Parks and Recreation Committee be received and adopted clause by clause.

Report No. 38

March 31, 1977

To the Mayor and Aldermen

The Parks and Recreation Committee recommends as follows -

1. That the following tenders in the total amount of $1762,60 plus Ontario Retail Sales Tax, for the supply of Foremen's work clothing (total of 7 employees), be accepted being the lowest tenders received -

To L.Kiwak, Tailor, Kingston

7 green blazers
14 beige trousers
14 grey trousers

To Newman's Men's Shop, Kingston

14 beige long sleeve shirts
14 beige short sleeve shirts

To Sainthill Levine Co Ltd., Toronto

14 green ties
14 brown ties

CARRIED 14:1
(Ald. Hawkins Opposed)

2. That notwithstanding the provisions of By-law No. 21 - A By-law Fixing the Rental to be Charged for Memorial Hall, Committee Rooms and Council Chamber - the Kingston Arts Council be permitted to use at no charge the Loyalist Room on April 6, 1977 from 8 pm to 10.30 pm for the purpose of holding their Annual General Meeting, it being understood that the Kingston Arts Council will be responsibl for custodial charges in the event the meeting extends beyond the normal closing hour.

CARRIED

3. That notwithstanding the provisions of By-law No.19 - A By-law to Provide for the Regulation Use of Parks and Recreational Facilities of the Corporation - the Canadian Cancer Society be permitted to use at no charge three rooms at the Portsmouth Olympic Harbour on May 28, 1977 from 9.30 am to 12 noon for purpose of holdin meetings.

REPORTS (Cont'd)

Report No. 38 - The Parks and Recreation Committee (Cont'd)

3. (Cont'd)

Note This permission is not to be interpreted to be a firm policy in dealing with requests of this type and it is understood that all future requests of a similar type will be considered on their own merits.

CARRIED

4. That By-law No. 19 - A By-law to Provide for the Regulation Use of Parks and Recreational Facilities of the Corporation - be amended to include the following rates for recreation swims in the Artillery Park swimming pool -

Adults	50¢ per one hour session
Children	25¢ per one hour session
Special rates	50 swims for $7.50
	(15¢ per visit child or adult)

REFERRED BACK TO COMMITTEE
(See following motions)

Moved by Ald. Gerretsen,
Seconded by Ald. Webb,

That Clause 4, Report No. 38 be amended by deleting therefrom the word "hour" wherever it occurs.

(See following motion)

Moved by Ald. Breen,
Seconded by Ald. Gorham,

That Clause 4, Report No. 38 be referred back to the Parks and Recreation Committee.

CARRIED

Respectfully Submitted,

Chairman.

(Signed)

K. W. Matthews (Chairman)
M. B. Gorham
G. Allmark
T. D. French
D. G. Timmins

* * *

Ald. Hawkins presented Report No. 39 of the Public Works Committee as follows:

Moved by Ald. Hawkins,
Seconded by Ald. McArthur,

That Report No. 39 of the Public Works Committee be received and adopted clause by clause.

REPORTS (Cont'd)

Report No. 39 - The Public Works Committee (Cont'd)

Report No39

April 4, 1977

To the Mayor and Aldermen:

The Public Works Committee recommends as follows: -

1. That the following resolution be adopted and that copies be forwarded to the Honourable Darcy McKeough, Treasurer and Minister of Economics and Intergovernmental Affairs, other comparable municipalities and the Association of Municipalities of Ontario:

> *THAT WHEREAS the Public Transportation and Highway Improvement Act, Section 94 gives a person designated as the Road Superintendent the authority to close a road when necessitated by a project authorized by this Act and for a road entering upon or intersecting a King's Highway, Section 22 provides for closing, providing there is a bylaw with the consent of the Minister endorsed thereon.*
>
> *AND WHEREAS for all other road closings the Municipal Act commencing at Section 443 provides for this through a bylaw passed after notice is published at least once a week for four successive weeks and objections heard with the effective date to be when the bylaw is registered in the land registry office.*
>
> *AND WHEREAS the procedure under the Municipal Act is desirable for permanent road closings.*
>
> *AND WHEREAS this procedure is too time consuming and costly for closings of short duration for other projects such as sanitary sewers, watermains, steamlines, etc.*
>
> *BE IT RESOLVED that the province of Ontario be requested to initiate legislation to facilitate temporary road closings, not exceeding 8 weeks, for projects not authorized under the Public Transportation and Highway Improvement Act similar to that provided in the aforementioned Act.*

CARRIED 11:4

(Ald. French, Ald. Gerretsen, Ald. Timmins, Ald. Webb Opposed)

2. That the tenders for miscellaneous supplies be awarded in accordance with the Purchasing Agent's Summary of Tenders No. 77-8 with the exception of fill sand which is awarded to L. Riddle Trucking; all awards being the lowest tenders received.

CARRIED

3. That a bylaw be passed to authorize the entering into of a Connecting Link Agreement with the Minister of Transportation and Communications for the reconstruction of Princess St. from Ontario to King St, adequate funds having been provided for this project -

Total estimated cost........	$45,061.75
Corporation's share.........	$11,265.44
M.T.C. share................	$33,796.31

(See By-Law 2: No. 9013) *CARRIED*

REPORTS (Cont'd)

Report No. 39 - The Public Works Committee (Cont'd)

4. That the following resolution of the City of Windsor be not endorsed: -

> *That the Minister of Transportation and Communications BE REQUESTED to give consideration to changing the current subsidy categories of maintenance and new construction by adding a Winter Control category with subsidy to the new category being granted in the full amount expended in one year.*

CARRIED

Respectfully submitted,

(SIGNED)

J. Hawkins (Chairman)
Neil E. McArthur
G. Allmark
B. E. Breen
M. B. Gorham

* * *

Ald. Mackenzie presented Report No. 40 of the City of Kingston Planning Board as follows:

Moved by Ald. Mackenzie,
Seconded by Ald. Clements,

That Report No. 40 of the City of Kingston Planning Board be received and adopted clause by clause.

REPORT NO. 40

April 5, 1977.

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. WHEREAS an application has been submitted by Mr.M. Pereira to amend Zoning By-Law No. 8499 for an approximately 0.7 acre parcel of land located on the west side of Division Street north of Concession Street from A (one and two family) Residential to permit commercial, industrial and multiple family residential uses to occupy this site; and

   WHEREAS the proposed land uses would be incompatible with each other and with the surrounding neighbourhood, which is largely low density residential in character:

   THEREFORE BE IT RESOLVED that this Application, No. 1977-Z-147, be refused.

CARRIED

REPORTS (Cont'd)

Report No. 40 - The City of Kingston Planning Board (Cont'd)

2. WHEREAS on November 10, 1975 Planning Board recommended and on November 24, 1975 Council approved proposed Amendment No. 80 to the Official Plan, which changes the designation from Industrial to Residential (Low Density) and Recreation, Parks and Open Spaces for approximately 120 acres north of Counter Street, west of Sir John A. Macdonald Boulevard extended, and south of the C.N.R. main line to permit a residential single family subdivision of approximately 216 units; and

WHEREAS the Ministry of Housing, in a letter dated March 17, 1977 has recommended for consideration the following modification to Official Plan Amendment No. 80:

> "Part B - Amendment is hereby modified by deleting the last paragraph beginning with the words, 'Implementation of this amendment ...' in its entirety, and replacing it with the following:
>
> 'Implementation of this amendment will take place by submission of a draft plan of subdivision to the Minister of Housing followed by subdivision and development agreements. However, prior to draft approval of the plan of subdivision by the Minister, a study shall be undertaken by the developer and approved by the City of Kingston and the Ministry of the Environment which will investigate the problems of sewage overflows in the North End Pumping Station area. Such a study shall, among other things, take into account historical flow patterns, infiltration, and contributions from new developments including the Nutana proposal, and will determine whether or not improvements to the station may be required to handle the projected sewage flows. The recommendations of this study shall be incorporated into any subdivision or development agreement.
>
> On the completion of the subdivision and development agreements, it is the City's intent to pass implementing zoning by-law amendments, thus allowing the development to proceed'."

and

WHEREAS the developer, Nutana Properties Limited, in a letter dated April 4, 1977, state that they accept in principle the requirement for a study as set out in the modification:

THEREFORE BE IT RESOLVED that the Minister of Housing be notified that the proposed modification to Official Plan Amendment No. 80 is acceptable to the City.

CARRIED 14:1
(Ald. Clements Opposed)

REPORTS (Cont'd)

Report No. 40 - The City of Kingston Planning Board (Cont'd)

Alderman Timmins declared a conflict of interest in Clause 3 since he is an employee of Alcan.

3. WHEREAS the Alcan Industrial Estates draft plan of subdivision on Lots 20, 21 and 22, Concession II, City of Kingston (File 10T-24369) was duly approved under Section 33 of the Planning Act on April 2, 1974; and

WHEREAS Alcan Canada Products Limited has notified the Ministry of Housing that they are not in a position to fulfill all of the terms and conditions laid down by the draft plan of subdivision, as amended, prior to the expiry of three years from the date of initial approval; and consequently have requested an extention of 18 months to fulfill the terms of the said plan; and

WHEREAS the main reasons for not being able to comply within the said time period is that Alcan has been unable to find a developer whose objectives are compatible with their own, and that there has been a poor investment climate over the past year; and

WHEREAS the Ministry of Housing has asked for a recommendation from the City as to whether the draft approval should be extended:

BE IT RESOLVED that it be recommended to the Ministry of Housing that draft approval for the said Alcan Industrial Estates Subdivision be extended from April 2, 1977 to October 2, 1978.

CARRIED 14:0

(Ald. Timmins abstained from voting)

4. WHEREAS on March 28, 1977 Council accepted the Planning Board recommendation for development of vacant Neighbourhood Improvement Program sites for moderate income housing under the Assisted Home Ownership Program, including provision for approval by Council of a Selection Committee to include one representative each from the City Planning Department, Central Mortgage and Housing Corporation, the Neighbourhood Improvement Area Citizens' Committee, Planning Board and the general public:

RESOLVED that the following persons be appointed to the Selection Committee:

Mr. Claude Clement:	Chairman, N.I.P. Area Citizens Committee;
Mr. Douglas Ewart:	Manager, Central Mortgage and Housing Corporation;
Mr. Eric Thrift:	General Public (and Housing Sub-Committee member);
Mr. G. G. Muirhead:	Planning Department; and
Mrs. Ruth Bryson:	Member of Planning Board.

CARRIED

Respectfully submitted,

(Signed)

Judith Mackenzie (Chairman)
Ken Keyes
K. W. Matthews
John Clements
D. G. Timmins

* * *

REPORTS (Cont'd)

Ald. Gerretsen presented Report No. 41 of the Finance and Accounts Committee as follows:

Moved by Ald. Gerretsen,
Seconded by Ald. Hawkins,

That Report No. 41 of the Finance and Accounts Committee be received and adopted clause by clause.

REPORT NO. 41

April 6, 1977

To the Mayor and Members of Council:

The Committee on Finance and Accounts reports and recommends as follows:

1. That, as recommended by the Architects, Dominik Polson Thompson Laframboise Mallette, the following change orders to T. A. Andre and Sons Ltd., for work as follows at 329 Johnson Street be approved:

Change Order No. 10: - $80.25

a) Laminate a ½" layer of gypsum board to the General Office side of Vault block wall, and

b) Omit taping and finishing all wall joints in Boiler and Tank Room.

Change Order No. 12: - $233.31

Supply and installation of a framed one-way observation window.

CARRIED

2. That the Account of Dominik Polson Thompson Laframboise Mallette, Architects and Engineers, in the amount of $3,272.70 for architectural services re: 329 Johnson Street be authorized for payment.

CARRIED

3. That, as recommended by the City Treasurer, pursuant to the provisions of section 636a of *The Municipal Act*, the applications of the persons and firms listed on Schedule "A", attached hereto, for cancellation or refund of commercial, residential or business taxes for 1976 in the total amount of $13,456.09 be approved.

CARRIED

4. That the account of Weir & Foulds, Barristers and Solicitors, Toronto, in the amount of $14,591.61 for professional services and disbursements ($741.61) for representing the City of Kingston before the Ontario Municipal Board concerning Zoning By-Law No. 8499 be authorized for payment, to be charged to Kingston Planning Board appropriation "Zoning By-Law Amendments".

CARRIED

5. WHEREAS on September 22, 1975 DeLeuw Cather, Consulting Engineers and Planners were authorized to prepare a traffic study of the Neighbourhood Improvement Area at a total cost not to exceed $35,500. which amount was amended to $36,600. on May 10, 1976;

AND WHEREAS the consultants and the N.I.P. Citizens Committee advise that a further allocation is required to complete the study:

THEREFORE BE IT RESOLVED, THAT as recommended by the City of Kingston Planning Board:

REPORTS (Cont'd)

Report No. 41 - Finance and Accounts Committee (Cont'd)

5. (Cont'd)

(a) $5,000. be transferred within the N.I.P. section of the Planning and Housing budget from "Land for Social/Public Housing" to "Service & Utilities" (Traffic Survey); and

(b) the consultants are hereby authorized to complete the study in accordance with an approved work schedule with payment to the consultants to be approved on the completion of each authorized portion of the work schedule as recommended by the Director of Planning upon consultation with the Chairman of the Planning Board and the Chairman of the N.I.P. Citizens Committee.

LOST 7:8
(See Recorded Vote)

Ald. Webb requested a recorded vote on Clause 5, which was as follows:

YEAS: Mayor Keyes, Ald. Clements, Ald. Gerretsen, Ald. Mackenzie, Ald. Miller, Ald. Tarnowecky, Ald. Timmins. (7)

NAYS: Ald. Allmark, Ald. Breen, Ald. French, Ald. Gorham, Ald. Hawkins, Ald. Matthews, Ald. McArthur, Ald. Webb. (8)

6. WHEREAS the following summary of expenditures by Department of Public Works (Canada) as the City's share of the marine works of the Portsmouth Harbour Marina has been received:

	PROJECT	EXPENDITURE
(1)	DREDGING	$ 14,052.40
(2)	BERM CONSTRUCTION	75,477.65
(3)	FLOATING RAMPS & WALKWAYS	379,289.62
(4)	FACEWALL& FIXED RAMPS - STAGE 5	523,127.96
(5)	MECHANICAL & ELECTRICAL SERVICES	213,450.12
(6)	KINGSTON OLYMPIC FENCE	1,599.51
	TOTAL	$1,206,997.26
	DEDUCT: ADVANCE FROM CITY OF KINGSTON	1,199,248.06
	BALANCE DUE D.P.W.	$ 7,749.20

AND WHEREAS Public Works (Canada) reports:

(A) That the following unexpected items of work contributed to the overrun:

a)	Repairs to watermains (materials only)	$2,320.00
b)	Harbour clean-up (City share)	2,851.00
c)	Removal of rock pinnicles adjacent to the face wall	1,600.00
d)	Securing of the float mooring lines	3,136.00, and

REPORTS (Cont'd)

Report No. 41 - Finance and Accounts Committee (Cont'd)

6. (Cont'd)

(B) That "as-built" plans of the marine works of the Portsmouth Harbour Marina are presently being prepared and will be supplied to the City when completed (which action will terminate the role of Public Works as Marine Consultant to the City):

THAT the sum of $7,749.20 is hereby authorized for payment to the Receiver General of Canada as the balance of the City's share of the off-shore facilities at the Portsmouth Olympic Harbour, to be charged to the Olympic Capital Budget account.

-and-

that the thanks of the Corporation of the City of Kingston be extended to Public Works Canada, Ontario Region, and their staff for their excellent work on behalf of the City of Kingston.

CARRIED

7. That the provisions of the 1977 Budget appropriation, "Finance - Tourist Promotion" in the amount of $40,701. for the operation of the Kingston Tourist and Visitors' Bureau be confirmed, on the understanding that any additional funds received by the Bureau from other sources will be made available to the Bureau rather than being deducted from the City's budgeted funds and that the Bureau will report to Council, by December 31, 1977, on the use of these funds, for the aims and objectives of the Bureau.

CARRIED

8. That the account of The Public Utilities Committee of the City of Kingston in the amount of $23,353.90 for construction of a 12" watermain across Artillery Park to supply water for fire protection for the proposed O.H.C. Senior Citizens apartment between Rideau and Bagot Streets, south of Ordnance Street, is hereby authorized for payment, to be charged to the Planning Board appropriation "Housing Capital Contribution" which was provided this year for this purpose.

(*Note: Construction of the Watermain was authorized by R.79(3) 1976 at an estimated cost of $24,000. to be recovered from Grants received under the Municipal Incentive Grant Program of C.M.H.C.*)

CARRIED

9. That, as recommended by the Parks and Recreation Committee, a chain link fence, 10 feet high and approximately 1000 feet long, is hereby authorized to be constructed along the new east boundary of Portsmouth Olympic Harbour adjacent to the west wall of Kingston Penitentiary to specifications agreeable to the Federal Solicitor General's Department at an estimated total cost of $10,000. as part of the 1977 Olympic Harbour Marina Improvement Work of the Department of Fisheries and the Environment, on the understanding:

a) that the Department of Fisheries and the Environment will provide one-half the cost of the fence (estimated contribution = $5,000.);

b) that the City of Kingston will provide one-half the cost of the fence and that this amount, estimated to be $5,000., is hereby authorized to be charged to the Olympic Capital Budget Account; and

REPORTS (Cont'd)

Report No. 41 - The Finance and Accounts Committee (Cont'd)

9. (Cont'd)

c) that the City of Kingston will be responsible for calling for tenders for the supply and erection of the fence and the Department of Parks and Recreation and the Department of Fisheries and the Environment will be responsible for the supervision of the work.

CARRIED 13:2
(Ald. Breen, Ald. Hawkins Opposed)

10. That "By-Law No. 1, 1966, a By-Law to Regulate Council Procedures" is hereby amended:

(A) by deleting section 60(B)1 and by substituting therefore the following:

"60(B)1. Where an expenditure has not been authorized by Council, the head of a department may incur an expenditure not exceeding $5,000.00 for a given object of expenditure, except travelling expenses, in any calendar month, provided a sufficient unencumbered appropriation is available for this purpose and provided that the following procedure has been carried out.

(1) On supplies or equipment items costing between $100.00 and $500.00 the department head shall request the Director of Purchasing to obtain three quotations where possible by telephone. The department head shall accept the recommendation of the Director of Purchasing on the quotation to be accepted.

(2) On supplies or equipment items costing between $500.00 and $5,000.00 the department head shall request the Director of Purchasing to obtain at least three written quotations, where possible. The department head shall accept the recommendation of the Director of Purchasing on the quotation to be accepted.

(3) The Director of Purchasing shall note the competitive quotations on his copy of the purchase requisition which shall remain on file in his office, or that there is only one supplier.";

(B) by repealing section 61; and

(C) by deleting section 62(a) and by substituting therefore the following:

"62(a). All work, labour, materials, goods, wares or merchandise beyond the amount stated in Section 60(B) of the By-Law be contracted for by Council after due notification to possible suppliers or contractors, and that the Mayor or Chairman or Vice-Chairman of the Committee calling for tenders, together with the Clerk-Comptroller or Department Head, are authorized to accept tenders over $5,000.00 and up to $10,000.00, and the Mayor and Clerk-Comptroller are authorized to sign the contract documents if a contract is necessary, providing:

(1) there is sufficient budget appropriation for the expenditure;

(2) the lowest tender is accepted that complies with tender specifications."

CARRIED

REPORTS (Cont'd)

Report No. 41 - Finance and Accounts Committee (Cont'd)

11. That the account of Mathews, Dinsdale & Clark, Barristers & Solicitors, Toronto, in the amount of $1,301.46 for professional services and disbursements ($126.46) for acting as counsel for the City of Kingston at the Arbitration concerning the Kingston Professional Firefighters Association in November, 1976, be authorized for payment.

CARRIED 14:1
(Ald. McArthur Opposed)

12. That, pursuant to *The Public Transportation and Highway Improvement Act* a request for an allocation of subsidy moneys for public transportation for the year 1977 in the following total amounts is hereby authorized:

$242,486,	for the Capital Asset Assistance Program
$388,294.	for Transit Operating Deficit.

CARRIED

13. That the Mayor and City Clerk-Comptroller be authorized, on behalf of The Corporation of the City of Kingston, to execute a deed from Mastercraft Construction Corporation Limited to the City of Kingston for a "right-of-way for persons," over the lands of Block "F", Registered Plan 1658, City of Kingston, (leading from Aberfoyle Road easterly over the "Quarry") which will contain the following covenants:

> "The Corporation of the City of Kingston does not accept any responsibility for the maintenance of the lands herein nor any liability for any injuries arising out of the use of the said lands.
>
> It is the intent of both the Grantor and the Grantee that the lands be left predominently in a natural state and the grantee shall not make any demands of the Grantor, or its successors and assigns in regard to the maintenance or state of the said lands, provided however that nothing shall stop or interfere with the Grantor or its successors and assigns for voluntarily altering, improving or clearing the said lands from time to time if it deems it necessary or expedient."

CARRIED

14. That the Cataraqui Region Conservation Authority be requested to establish a program for the acquisition of the property known as the "Auld Subdivision" on King Street West, as each of the properties therein becomes available for purchase, in order to provide open space recreation lands in the Little Cataraqui Creek corridor adjacent to flood plain lands, on the understanding that the City of Kingston will be responsible for 50% of the acquisition costs.

CARRIED 14:1
(Ald. McArthur Opposed)

Respectfully submitted

(Signed) *Ken Keyes (Chairman)*
J. P. Gerretsen
J. Hawkins
Judith Mackenzie
K. W. Matthews
Lois E. Miller

* * *

1976 TAX ADJUSTMENT APPLICATIONS UNDER

SECTION 636a OF THE MUNICIPAL ACT, R.S.O. 1970

ROLL NUMBER	APPLICANT	ADDRESS OF TAXES APPEALED	PERIOD (MONTHS)	BUS. RES. COM.	EXPLANATION	REFUND		CANCELLATION	
						PUBLIC	SEPARATE	PUBLIC	SEPARATE
010-010-02000	Lorfam Limited	218 King St. E.	10	C to R	Vacant	34.20			
010-020-02800	David Fairbairn	83-85 Gore St.	4	R	Conversion	2.49			
010-020-05800	Federal Government	Ontario St.	12	R	Exempt	2,634.38			
010-080-00700	Queen's University	135-139 Union St.	12	R	Conversion			565.68	
010-090-05400	Maryse Smits	122 Bagot St.	12	R	Conversion		151.07		
010-100-04200	Peter Crawford	46 Sydenham St.	12	R	Conversion			299.16	
010-110-06400	City of Kingston	236 Bagot St.	12	R	City Owned			343.35	
010-130-03300	Woharco Investments	200 Ontario St.	4	C to R	Vacant	179.09			
010-130-04400	City of Kingston	251 Ontario St.	7	R	City Owns			1,077.98	
010-130-10100-0080	Charlotte Dorn	68 Princess St.	1	B	Relocated	5.64			
010-140-07000-0050	The T. Eaton Co. Limited	270 Princess St.	7	B	Bus. Disc.	1,221.87			
020-080-12000	E. M. Waters	593 Johnson St.	12	R	Conversion		131.57		
020-100-00300-0020	Francis & Bernice Dee	181 Alfred St.	12	B	Bus. Disc.			14.77	
030-040-03700-0010	Benny & Alice Ryce	345 Princess St.	2	B	Relocated	45.44			
030-040-03700-0010	Benny & Alice Ryce	345 Princess St.	2	B	Relocated			12.81	

SCHEDULE A

ROLL NUMBER	APPLICANT	ADDRESS OF TAXES APPEALED	PERIOD (MONTHS)	BUS. RES. COM.	EXPLANATION	REFUND		CANCELLATION	
						PUBLIC	SEPARATE	PUBLIC	SEPARATE
030-060-00200	City of Kingston	80-90 York St.	12	R	City Owned			1,047.73	
030-060-08200	City of Kingston	42 York St.	5	R	City Owned				68.87
030-070-02200	Gordon Tompkins Funeral Home	49 Colborne St.	1	R & C	Fire	54.17	60.87		
030-070-02200-0010	Gordon Tompkins Funeral Home	49 Colborne St.	1	B	Bus. Disc.		33.53		
030-080-10200	Hyman Soloway	155-159 Princess St.	9	C to R	Vacant			943.42	
030-100-01901	City of Kingston	19-23 Queen St.	12	C C	City Owned			267.88	
030-100-02000	Greenwood Bros. Ltd.	400-412 King St. E.	1	C to R	Fire			278.05	
030-100-02000-0010	Joseph Abramsky & Sons Ltd.	400-412 King St. E.	2	B	Relocated			212.71	
030-100-02200	Greenwood Bros. Limited	57 Queen St.	12	C to R	Residential	165.76			
030-110-00100	City of Kingston	Montreal St. Rear	6	R	City Owns			17.77	
030-110-00200	City of Kingston	133 Montreal St.	6	R	City Owns			86.93	
030-110-00300	City of Kingston	135 Montreal St.	6	R	City Owns			34.03	41.42
030-110-00400	City of Kingston	137 Montreal St.	6	R	City Owns			74.49	
030-110-00500	City of Kingston	141 Montreal St.	6	R	City Owns			151.13	
030-110-00600	City of Kingston	143 Montreal St.	6	R	City Owns			61.37	49.81

SCHEDULE A

ROLL NUMBER	APPLICANT	ADDRESS OF TAXES APPEALED	PERIOD (MONTHS)	BUS. RES. COM.	EXPLANATION	REFUND		CANCELLATION	
						PUBLIC	SEPARATE	PUBLIC	SEPARATE
030-110-00700	City of Kingston	145 Montreal St.	6	R	City Owns			57.86	48.90
030-110-00800	City of Kingston	147 Montreal St.	6	R	City Owns			139.30	
030-110-00900	City of Kingston	94 Bay St.	6	R	City Owns			51.73	
030-110-01000	City of Kingston	92 Bay St.	6	R	City Owns			51.73	
030-110-01100	City of Kingston	90 Bay St.	6	R	City Owns			107.45	
030-120-01100	City of Kingston	1 Millers Lane	12	R	City Owns			172.02	
030-120-01200	City of Kingston	3 Millers Lane	12	R	City Owns			113.54	
040-010-13200-0020	Michael Lenser	5 Orchard St.	2	B	Bus. Disc.			6.76	
040-010-18800	Edifax Development Co. Ltd.	469 Montreal St.	8	C	Assess. Error			850.00	
040-040-07200	City of Kingston	66 Markland St.	12	R	City Owns			180.82	
040-040-07300	City of Kingston	64 Markland St.	12	R	City Owns			140.73	
040-040-07400	City of Kingston	62 Markland St.	12	R	City Owns			201.93	
040-090-08000	Ranjit Chahal	102 Joseph St.	12	R	Assess. Error	489.53			
040-110-22201-0020	Condie Pontiac Buick Ltd.	143 Hagerman	2	B	Relocated			27.80	
040-130-07100	City of Kingston	Montreal St.	12	C	City Owns			79.58	

ROLL NUMBER	APPLICANT	ADDRESS OF TAXES APPEALED	PERIOD (MONTHS)	BUS. RES. COM.	EXPLANATION	REFUND PUBLIC	REFUND SEPARATE	CANCELLATION PUBLIC	CANCELLATION SEPARATE
040-130-19000-0010	Osprey Woodcrafts (Kingston) Ltd.	931 Montreal St.	5	B	Bus. Disc.			129.18	
050-050-07500-0020	Zenith Electric Supply Ltd.	857 Princess St.	1	B	Relocated	14.46			
050-050-07500-0030	Zenith Electric Supply Ltd.	857 Princess St.	1	B	Relocated	175.56			
060-010-01400-0010	Thos. N. Shea Ltd.	391 Bath Rd.	1	B	Relocated	47.67			
						5,070.26	377.04	7,799.79	209.00
		TOTAL TAX ADJUSTMENTS		13,456.09					

UNFINISHED BUSINESS

Ald. Timmins said that he had noticed compact type cars being driven on the walkways in Calvin Park and suggested that this was a very dangerous action, as well as being illegal. He suggested that the Police Department be notified.

Ald. Mackenzie reported that she had attended a recent Kiwanis Club meeting, on behalf of Mayor Keyes, and said that the speaker, Mr. Ken Smith, had said to Council, "thank you for preserving some of his heritage" when speaking of the renovations that had been done to City Hall.

Ald. Mackenzie said that Toronto Alderman, Mr. John Sewall, had spoken about the "planning monster" as being a series of intricate procedures done by the City according to the rules (laws) of Ontario but that the Provincial Government (Ontario) does not have to follow any rules. Instead they only publish a general plan such as "Ontario trends and future". She said that action of this type adds to the frustration of local people, including developers, who must act pursuant to Provincial law.

Ald. Webb enquired when "air conditioning" instead of "air heating" would be provided in the Council Chamber this year.

Mayor Keyes said that he had recently been interviewed on a television program with Reeve Beeman and that during the last two minutes of the half hour program the Reeve had, without warning, suggested that the operation of the Norman Rogers Airport be under a joint Township and City Commission, something the Township has been opposed to for a number of years. He said that the proposal had taken him completely by surprise and that he had not encouraged the idea.

Ald. Miller and Ald. Allmark said that they had seen the televised interview and had noticed the look of astonishment on the Mayor's face at the Reeve's announcement.

BY-LAWS

(A) Moved by Ald. Gerretsen,
Seconded by Ald. Hawkins,

That By-Laws 1 to 3 be given their first and second readings.

CARRIED

(B) Moved by Ald. Mackenzie,
Seconded by Ald. Matthews,

That Rule 35 of By-Law No. 1 be suspended for the purpose of giving By-Laws 1 to 3 their third reading.

CARRIED

(C) Moved by Ald. Miller,
Seconded by Ald. Gerretsen,

That By-Laws 1 to 5 be given their third reading.

CARRIED

BY-LAWS (Cont'd)

(1) A By-Law to Dedicate Certain One Foot Reserves on Registered Plans 1390 and 537 as Part of North Park Drive and Part of Westmorland Road.

(THREE READINGS) (PROPOSED NO. 9012)
Clause 1, Report No. 37, 1977

CARRIED

(2) A By-Law to Authorize the Execution of a Proposal and Estimate of Cost Pursuant to an Agreement with Her Majesty the Queen, In Right of the Province of Ontario, as Represented by the Minister of Transportation and Communications, Entered into under The Public Transportation and Highway Improvement Act, R.S.O. 1970, Chapter 201

(THREE READINGS) (PROPOSED NO. 9013)
Clause 3, Report No. 39, 1977

(Note: For reconstruction of Princess Street from Ontario to King Street.)

CARRIED

(3) A By-Law to Confirm the Proceedings of Council at Its Meeting held on April 12, 1977.

(THREE READINGS) (PROPOSED NO. 9014)
City Council Meeting No. 11

CARRIED

(4) A By-Law to Authorize the Construction of a Sanitary Sewer in Counter Street from the Existing Sewer in Counter Street 235 Feet West of the Former Sir John A. MacDonald Blvd. Allowance Easterly 199 Feet Under the Provisions of Section 7 of the Local Improvement Act (Petition).

(THIRD READING) (PROPOSED NO. 8941)
Clause 5, Report No. 109, 1976

CARRIED

(5) A By-Law to Authorize the Construction of a Storm Sewer in Palace Road from Brock Street to 38 Feet South of Carruthers Avenue, Including an Outlet at the Corporation's Expense, Under the Provisions of Section 7 of the Local Improvement Act (Petition).

(THIRD READING) (PROPOSED NO. 8964)
Clause 24, Report No. 126, 1976

CARRIED

MOTIONS

(1) Moved by Ald. Clements,
Seconded by Ald. Gerretsen,

WHEREAS the Government of Ontario has announced the relocation of OHIP provincial offices to Kingston; and

WHEREAS the Council of the Corporation of the City of Kingston wishes to encourage the redevelopment of the Central Business District of Kingston; and

WHEREAS the Council is of the opinion that downtown Kingston is an ideal location for this project;

BE IT RESOLVED: That

1) the Government of Ontario be congratulated on its decision to relocate OHIP offices in Kingston and

2) the Council strongly urge the provincial government to locate OHIP's offices in downtown Kingston and

3) the Council give every possible assistance to ensure a downtown location.

CARRIED

(2) Moved by Ald. Tarnowecky,
Seconded by Ald. Timmins,

That Council do now adjourn. *CARRIED*

Council adjourned at 10:00 P.M.

(L.S.)

(Signed) T.J. McKibbin
Clerk-Comptroller

(Signed) Ken Keyes
Mayor

Local Govt.

CITY COUNCIL MEETING NO. 12

The Regular Meeting of City Council will be held in the Council Chamber at City Hall on Monday, April 25, 1977 at 8:00 P.M.

ROLL CALL

TABLING OF DOCUMENTS

MINUTES

That the Minutes of City Council Meeting No. 9, held on March 28, 1977 and Meeting No. 10, held on April 4, 1977, be adopted as printed.

COMMUNICATIONS

To Be Filed

(226) Copy of *"Background"* dated April 1, 1977 from The Honourable Darcy McKeough, Treasurer of Ontario.

(Note: Copies have been distributed to all members of Council).

(227) From Mr. D. L. Hardtman, City Solicitor, reporting on the O.M.B. Hearing on the application by The Corporation of the City of Kingston for an Order approving the purchase of 35.20 acres of land located north of the Bath Road and east of Little Cataraqui Creek, to conserve such low-lying land in its natural state at an estimated cost of $500,000.00 and the borrowing of money therefor; and the issuance of debentures in the sum of $500,000.00 for a term of ten years;which was held on March 10, 1977, and upon which a decision was reserved.

(228) From Central Mortgage and Housing Corporation enclosing cheque in the amount of $1,905.00 representing R.R.A.P. Administration Fees.

(229) From the Canadian Olympic-training Regatta, thanking the Members of Council for notice of approval of their grant for 1977.

(230) From the Agnes Etherington Art Centre thanking the Members of Council for notice of approval of their grant for 1977.

Which Has Been Referred to the Public Works Committee

(231) From Susan C. Davis, 12 Grosvenor Court, expressing concern about the damage to vegetation on the right-of-way from Princess Street to Sherwood Drive by the contractor who installed the sewer.

COMMUNICATIONS (Cont'd)

To Be Referred to the City of Kingston Planning Board and the Finance and Accounts Committee

(232) From Mr. Raymond J. Doyle, Frontenac-Lennox and Addington County Roman Catholic Separate School Board requesting Council's study of an enclosed copy of a Development agreement for 4390 acres of land reached between Mississauga and a local developer, providing that school boards could purchase property as it was developed in stages at a pre-determined price per acre which ultimately relieved some of the excessive costs which school boards have had to face in recent years and which costs are eventually passed on to the local taxpayer.

To Be Filed

(233) Copy of *Fire Marshals Quarterly News* from the Ministry of the Solicitor General.

(234) Applications to amend the Official Plan and Zoning By-Law No. 8499 by Bob Martin Construction Co. Ltd. for the 2.5 acre site at 1000 Montreal Street (Corner of Briceland) to permit Multiple Family (28 Units/Acre).

(235) Copy of *Ontario Budget 1977* and of *1977 Ontario Assistance to Local Governments* from The Honourable Darcy McKeough, Treasurer of Ontario.

To Be Referred to the Finance and Accounts Committee

(236) From Bureau of Municipal Research giving notice of their Annual Business Meeting, to be held on May 12th, 1977, in the V.I.P. Room, Concourse Level (one level below the Main Lobby), at the Sheraton Centre, 123 Queen Street West, Toronto, at 11:00 A.M.

To Be Referred to the Community Services Committee

(237) From the Ministry of Community and Social Services enclosing copy of the announcement of The Honourable Keith Norton, Minister of Community and Social Services, that municipalities, made directly responsible for the cost of juveniles committed by the Courts, will have these costs subsidized by the Ontario Government for the fiscal year 1976/1977 (April 1, 1976-March 31, 1977) and enclosing an application form for payment of this one time grant.

To Be Filed

(238) From Mr. J. B. Sampson enclosing copy of letter to the Minister of Housing concerning application of McDonald's Restaurants of Canada Limited to the Committee of Adjustment for severance of a parcel of land having 200 feet frontage on Division Street. He alleges that the Committee have no authority to requiring conveyance of land that does not abut on the severance and requests that the Minister of Housing issue an order approving the severance and amending Zoning By-Law No. 8992.

(239) Copy of *Impact of Beverage Alcohol on the Criminal Justice System: A Pilot Study* from The Provincial Secretariat for Justice.

COMMUNICATIONS (Cont'd)

To Be Referred to the Finance and Accounts Committee

(240) From the University of Toronto School of Continuing Studies, notifying of the Seminar entitled *Meanings and Modes of Motivation*, with Dr. Frederick Herzberg to be held May 26 and 27, 1977 at the Skyline Hotel, Rexdale.

To Be Referred to the City of Kingston Planning Board

(241) From the Township of Pittsburgh notifying that they have applied to the Ontario Municipal Board for approval of their Zoning By-Law No. 6-77 to rezone land located on the west side of Highway No. 15 on part of Lots 13 and 14, Concession east of the Great Cataraqui River to introduce an R1-4 zone which permits special reduced side yards (single family dwellings) a CT-5 zone which permits a hotel, I-2 zone which permits a nursing home and OS zone which permits public use.

To Be Referred to the Transportation Committee

(242) From W. J. A. Green, R.R. #1, Perth Road, a pilot, recommending that Mr. A. Flowers be appointed as a full time manager at Norman Rogers Airport.

To Be Referred to City of Kingston Planning Board, Public Works Committee and Transportation Committee

(243) From the Little Cataraqui Environmental Association concerning the proposed extension of an Access Road to service lands owned by Mississauga Apartments Limited.

PETITIONS

REPORTS

April 14th 1977.

REPORT NO. 42

To the Mayor and Aldermen

The Community Services Committee reports and recommends as follows:

1. That Mr. Harry P. Smith of the firm of Smith, Mill and Ross, be engaged as architect for Phase 1 of the renovations to Rideaucrest Home at a rate of 10% of the actual cost upon receipt of approval of the Ministry of Community and Social Services for the renovations.

   (Preliminary estimate of $28,642 has been obtained. There are sufficient funds in the 1977 budget for this purpose. This is eligible for 70% Provincial Government subsidy.)

2. That, as recommended by the Public Works Committee, it be recommended to Council that Schedule "D" 4(b)(i) (aa) of the Country Club Estates Subdivision Agreement be amended by adding thereto the following:

   "P.V.C. pipe - not less than 5" internal diameter"- and further - that the standard form of subdivision agreement be amended accordingly.

   (Note: P.V.C. pipe is a high quality plastic piping for sewer laterals. This piping has been approved by the Ministry of the Environment.)

3. That May 4th 1977 be proclaimed Canada Fast Day in Kingston.

Respectfully submitted,

CHAIRMAN.

Parks and Property Report No. 43

April 14, 1977

To the Mayor and Aldermen:

The Parks and Recreation Committee recommends as follows: -

1. That notwithstanding the provisions of Bylaw No. 21 - A Bylaw Fixing the Rental to be Charged for Memorial Hall, Committee Rooms and Council Chamber - the Local Council of Women be permitted to use the Council Chamber at no charge for their 2 p.m. regular meetings on the third Thursday of April, May, September, October and November 1977, it being understood that they will relinquish the use of the Council Chamber when it is required by the City.

2. That for a trial period of two years, the Senior Baseball League and the Kingscourt Baseball Association be permitted to rent advertising space at the Cook Youth Centre/Megaffin Stadium Complex under the following terms and conditions: -

   A. advertising signs shall not exceed 8' x 3' in size.

   B. revenue shall be apportioned 80% to the Baseball Leagues and 20% to the City.

   C. the City's revenue shall be placed in the Youth Centre Account and shall be used to maintain and upgrade the facility.

   D. the location, size and design of dug outs shall be subject to approval of the Commissioner.

   E. the advertising of tobacco and alcoholic beverages shall not be permitted.

   F. the fee for rental of one 8' x 3' advertising space shall be $300.00 for one year which includes the display of the sign on the stadium fence during the baseball season and display in the Youth Centre during the hockey season.

   G. the fee for rental of an 8' x 3' advertising space for the period of the baseball season only shall be $200.00.

   H. the fee for rental of an 8' x 3' advertising space for period of hockey season only shall be $200.00.

   I. the rental agreement shall include a clause making the advertiser responsible for maintaining the sign.

   J. a donation of $100.00 will be made to the Kingston Minor Hockey Association by the Baseball Leagues if Condition F applies.

Respectfully submitted,

Chairman

Public Works Report No. 44

April 18, 1977

To the Mayor and Aldermen:

The Public Works Committee recommends as follows:

1. That notwithstanding the provisions of Bylaw No. 14 - A Bylaw Relating to Sewers - the Health Sciences Complex be authorized to make two drain connections from the proposed George St. steam main to the existing combined sewer on George St. as shown, coloured in red, on Dwg. No. 1143C dated October 20, 1975 since the anticipated flow from these connections would have no appreciable effect on the flow in the sewer and at such time as sewer separation is continued in this area the combined sewer will be converted to a storm sewer. In addition, it is noted that the complex has constructed an oversized sanitary main on George St. so that the sanitary flow from the Medical Science Building will not enter the combined sewer.

2. That one Foreman to be selected by the Commissioner of Works be authorized to attend the T.J. Mahoney Road School sponsored by the Ontario Good Roads Association to be held at the University of Guelph during the period of May 1 to May 4, inclusive, and that his Registration Fee and out-of-pocket expenses be paid by the City.

NOTE: The Registration Fee is $96.00 and includes the cost of room and regular meals, lecture notes and binder. Reasonable out-of-pocket expenses incurred in attending the School, including the Registration Fee, where authorized by Council, may be charged to the Road Account for which the Province has agreed to pay the usual subsidy.

3. That the Minister of the Environment be informed that the City of Kingston's preliminary comments on the recommendations for the Designation and Exemption of Municipal Projects under the Environmental Assessment Act contained in the Report of the Municipal Working Group are too broad in their application in that Clause 4 of the Screening Criteria reads: "*Might the proposed undertaking have effects on adjacent persons or property or persons or property not associated with the undertaking*"? thus adding to the cost of projects and delaying them. An opportunity to comment after the class environmental assessments are approved and released and after the Report on the Planning Act Review has been released would be more meaningful.

Respectfully submitted,

Chairman

REPORT NO. 45

April 19, 1977

To the Mayor and Aldermen

The City of Kingston Planning Board reports and recommends as follows:

1. WHEREAS an application has been submitted by Gordon F. Tompkins Funeral Home Ltd. to amend the Official Plan and Zoning By-Law for an approximately 0.3 acre parcel of land located at the north-west corner of Clergy and Colborne Streets in order to permit an undertaker's establishment; and

   WHEREAS an undertaker's establishment has been located on the subject property for many years and this use has come to be accepted as an integral part of the neighbourhood at this location; and

   WHEREAS the Planning Board is of the opinion that an undertaker's establishment can continue to be accommodated on this site without affecting adversely the surrounding neighbourhood;

   THEREFORE BE IT RESOLVED that By-Laws be presented to Council as follows:

   (A) to amend the Official Plan of the City of Kingston by adding the following policy as Section 5 (54B):

   "Notwithstanding the policies for Specific Area No. 4 regarding the preferred location and nature of commercial and service establishments, an undertaker's establishment may be located at the north-west corner of Clergy and Colborne Streets."

   (B) to amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston", as follows:

   (i) by amending Zoning Map No. 18 so as to rezone the approximately 0.3 acre parcel of land located at the north-west corner of Clergy and Colborne Streets, as shown on a copy of Zoning Map No. 18 which is attached hereto as Schedule "A", from Zone A (one and two family) Residential to Zone A.130 (one and two family) Residential.

   (ii) by adding as Section 130 the following:

   "130. On the approximately 0.3 acre parcel of land located at the north-west corner of Clergy and Colborne Streets and designated A.130 on Zoning Map No. 18 attached to and forming part of By-Law No. 9016 *as Schedule "A":*

   1. An undertaker's establishment shall also be a permitted use.

   2. This undertaker's establishment shall be subject to the provisions of the A zone except that:

   (a) the minimum required front yard shall be 5 feet,

   (b) the maximum percentage of lot coverage shall be 41% of the total lot area."

2. That Council does hereby certify that By-Law No. 9016 , "A By-Law to Amend By-Law No. 8499, 'Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston' (Rezone 0.3 acre located at the north-west corner of Clergy and Colborne Streets from A (one and two family) Residential to A.130 (one and two family) Residential)", is in conformity with the Official Plan approved and in force in the City of Kingston and Official Plan Amendment No. 89, which has not yet been approved by the Minister.

3. WHEREAS it is a condition of the development control agreement with Mario Gencarelli Enterprises Ltd. that an occupancy certificate will not be issued until a four-and-a-half foot high masonry wall shall have been constructed on the property at Nelson and Princess Streets;

AND WHEREAS it is necessary for Mr. Gencarelli to submit the occupancy certificate with his application for a liquor licence for his restaurant;

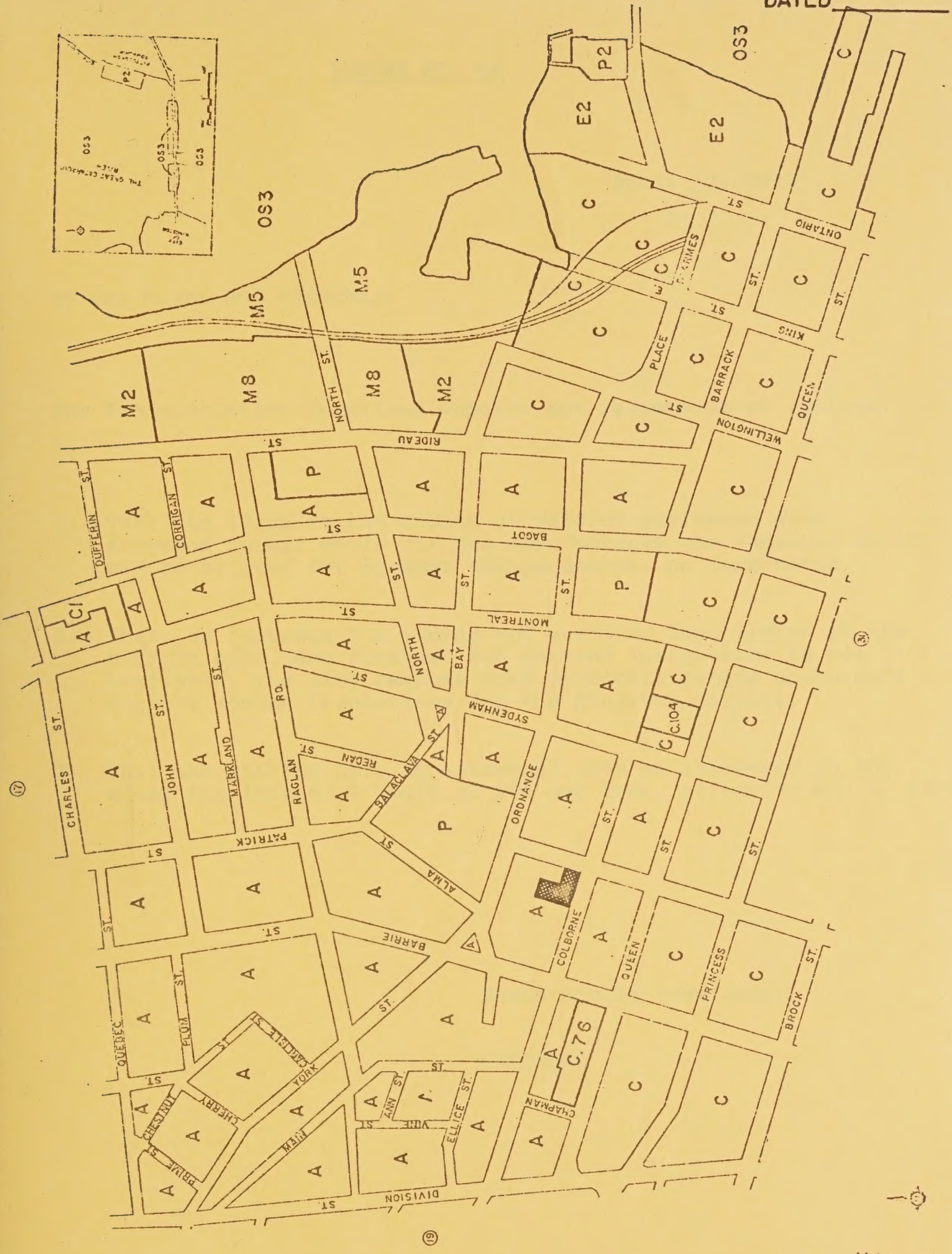
AND WHEREAS Mario Gencarelli Enterprises Ltd. has applied for an extension of two weeks on the date for the commencement of the construction of the wall because of certain delays;

THEREFORE BE IT RESOLVED that the development control agreement with Mario Gencarelli Enterprises Ltd. for the property on Nelson and Princess Streets be amended to permit the commencement of the construction of the four-and-a-half foot high wall two weeks after the date of the issuance of the occupancy certificate.

Respectfully submitted,

CHAIRMAN.

BY-LAW Nº ____
DATED ____



LEGEND

▨ PROPOSED ZONE CHANGE FROM A TO A MODIFIED.

MAP 18

BY-LAW Nº 8499
JULY 28, 1975
REVISED ____

REPORT NO. 46

April 13, 1977

To the Mayor and Aldermen:

The Transportation Committee reports and recommends as follows:

1. That the lease in the amount of $480.00 per annum with Kingston Tennis World for the area between the hangars, which was to be used for outdoor tennis courts, be terminated.

2. That, as requests for zoning and building line limits at the airport have been received and current information is not available, the City request from Transport Canada up-to-date airport zoning regulations for the Kingston Airport.

3. That the parking rate at attendant lots be increased to 40¢ after the initial 2 hours at 20¢ per hour, effective May 1, 1977.

Respectfully submitted,

CHAIRMAN

REPORT NO. 47

April 20, 1977

To the Mayor and Members of Council;

The Committee on Finance and Accounts reports and recommends as follows:

1. That Lists of Accounts No. 3, dated March 3, 1977, in the amount of $4,358,725.90 for expenditures incurred under proper authorization be approved.

(Note: Copies of Lists distributed to each member of Council on April 7, 1977.)

2. That the action of the Mayor and City Treasurer in accepting the tender of Equitable Securities for the sale of $2,500,000. City of Kingston Treasury Notes at a price of $99.326 per $100.00 (Interest cost 7.74) be confirmed.

(Note: Other tenders received

Walwyn, Stodgell & Gardner Limited	*$99.32167*
Royal Bank of Canada	*99.319*
Greenshields Inc.	*99.316*
A. E. Ames	*99.325*
Dominion Securities	*99.31216*
Bank of Montreal	*99.320*
Toronto Dominion Bank	*99.322*
Wood Gundy	*99.31735*
Midland Doherty	*99.316*
McLeod Young & Weir	*99.323*
**Bank of Commerce*	*99.330**

** = Received in City Hall prior to closing time in unmarked envelope, but not received by City Treasurer until after tender was awarded to Equitable Securities.)*

3. That the account of Mr. D. L. Hardtman, Q.C., City Solicitor, (Hardtman and Martin) in the amount of $1,509.45 for professional services and disbursements ($9.45) for acting for the City before the O.M.B. on March 1, 2 and 3, 1977, respecting referrals by Minister of Housing (Ontario) of Certain Parts of Amendment No.71 to Official Plan of City of Kingston Planning Area; Properties of Case; Dacon; Smith (John L.); Appeal by Vernon Law from Decision of Committee of Adjustment; Certain Lands of Cataraqui Golf and Country Club, be authorized for payment, to be charged to City of Kingston Planning Board appropriation "Zoning By-Law Amendments".

Ald. Hawkins Opposed

4. WHEREAS a problem has been reported by the Principal of Simcoe Public School that children are playing near or on the railroad tracks on the east side of the Division Street Overpass of the C.N.R. mainline by gaining access over the unfenced portion of old Division Street;

AND WHEREAS the City's Fence Viewer confirms that the situation is dangerous as it is impossible to see approaching trains until one is right on the tracks:

THAT in order to rectify this situation:

4. (Cont'd)

(A) the following budget appropriation transfer be approved:

	Increase	Decrease
FINANCE		
Miscellaneous - (2 Fences-Division St. Overpass)	$1,747.	-
Contingencies	-	$1,747.

(B) two 4' high, chain link fences are hereby authorized to be erected, as follows, at an estimated cost of $1,747.:

1) 109 ft. long to the north of the C.P.R. tracks from end of existing fence westerly to embankment of the Overpass, and

2) 126 ft. long to the south of the C.N.R. tracks from end of existing fence westerly to embankment of the Overpass.

(Note: The C.P.R. and the C.N.R. will be requested to share the cost of supply and erection of these fences.)

5. That, as recommended by the Kingston Public Library Board, Change Order No. 14 to M. Sullivan & Son Limited in the amount of $2,903.75 for the additional following work to the new Public Library be approved:

1.	Automatic Doors (Previously Authorized by Council)	$2,300.
2.	Revision to Elevator Machine Room to include some space from the vault	603.75

6. That, as recommended by the Architects, Change Order No. 4 (REVISED) to T. A. Andre and Sons Limited in the revised amount of $529.67 (previous amount $273.74) for revisions to the telephone conduit system at 329 Johnson Street to meet requirements of Bell Canada be approved.

7. That, as recommended by the Commissioner of Works, the execution of an agreement with the Canadian National Railway Company to permit the City to install, maintain and use a portion of a 42 inch diameter steel pipe for the purpose of conveying storm waters, along lands and under the tracks of the Railway, into the Railway's ditch at Mileage 0.14 of the Aluminum Spur, H.B. Mileage 174.2, Kingston Subdivision, as shown on Drawing No. A-640-R1, dated September 1976 for the sum of $15.00 per annum for the first 5 year period and subject to review each 5 year period, is hereby authorized, it being noted that the City is "to be responsible for any damage caused by flooding attributable to surplus drainage waters being put on the Railway's lands", but the City will try to have this wording modified to exclude storm water diverted by third parties.

8. That the Capital Budget of the City of Kingston for the Years 1977 to 1981, as follows, is hereby adopted:

Year	Total Amount
1977	$2,536,200.
1978	3,320,600.
1979	3,431,500.
1980	3,554,000.
1981	3,173,000.

(Note: (1) Recommendation of the Parks and Recreation Committee to include provision of $150,000. for Parks and Recreation General Projects is NOT included in the Quota for 1977.

If an additional amount is approved, at a later date, to be included in the Capital Budget, a supplementary request for approval by the Ontario Municipal Board will have to be made.

(2) Copy of Capital Budget has been distributed to each member of Council with the Agenda.)

9. That City Hall is hereby authorized to be closed at 12 noon on Wednesday, July 6, 1977, or,in the event of inclement weather, on Wednesday, July 13, 1977, in order that the City Hall Staff Association may hold their 25th annual picnic to be held at City Park.

10. That the City Treasurer be authorized to pay $10,000. quarterly in advance to the Kingston Tourist and Visitors' Bureau for the first three quarters of 1977 and that the fourth quarter payment be adjusted to actual expenditures.

Respectfully submitted,

(CHAIRMAN)

UNFINISHED BUSINESS

BY-LAWS

(A) That By-Laws 1 to 3 be given their first and second readings.

(B) That Rule 35 of By-Law No. 1 be suspended for the purpose of giving By-Law 3 its third reading.

(C) That By-Laws 3 to 5 be given their third reading.

(1) A By-Law to Amend the Official Plan of The City of Kingston Planning Area (Amendment No. 89: Undertaker's Establishment, Clergy and Colborne Streets).

(FIRST AND SECOND READINGS) (PROPOSED NO. 9015)
Clause 1(A) Report No. 45, 1977

(2) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Rezone 0.3 acre located at the north-west corner of Clergy and Colborne Streets from A (one and two family) Residential to A.130 (one and two family) Residential).

(FIRST AND SECOND READINGS) (PROPOSED NO. 9016)
Clause 1(B) Report No. 45, 1977

(3) A By-Law to Confirm the Proceedings of Council at Its Meeting held on April 25, 1977.

(THREE READINGS) (PROPOSED NO. 9017)
City Council Meeting No. 12

(4) A By-Law to Amend the Official Plan of The City of Kingston Planning Area (Amendment No. 88: Kingston Yacht Club).

(THIRD READING) (PROPOSED NO. 8994)
Clause 1(a), Report No. 30, 1977

(5) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Rezone 3.4 Acres Located Between Maitland and Simcoe Streets, South of King Street, From a (One and Two Family) Residential and OS3 Harbour Open Space to P2.127 Water Area (Park).

(THIRD READING) (PROPOSED NO. 8995)
Clause 1(b), Report No. 30, 1977

MOTIONS

(1) Moved by Ald. Miller,
Seconded by Ald. Gerretsen,

That the congratulations of Council be extended to the Domino Theatre for winning the BEST PLAY Award for their presentation of *Gingerbread Lady* at the 1977 Eastern Ontario Drama League Festival and for winning the following five other awards:

Best Actress - Carolyn Hetherington

Best Actor - Charles Pullen

Best Director - David Tompkins

Best Costuming - Ruth McKay

Best Set Design - David Tompkins

(2) Moved by Ald. Matthews,
Seconded by Ald. Gerretsen,

That the sympathy of Council be expressed to the family of the late Rebecca Cohen.

(3) Moved by Ald. Miller,
Seconded by Mayor Keyes,

That, since the Kingston & District Labour Council requires the consent of Council to include the word "Kingston" in the name *Kingston & District Labour Council Hand Clinic*, and since this approval is urgently required so that the District Labour Council Hand Clinic may receive a needed telephone number:

Therefore be it resolved that Council hereby consents to the use of the word "Kingston" in the name *Kingston & District Labour Council Hand Clinic.*

Local Govt.

CITY COUNCIL MEETING NO. 12

The Regular Meeting of City Council was held in the Council Chamber at City Hall on Monday, April 25, 1977 at 8:03 P.M. His Worship, Mayor Keyes presided.

ROLL CALL

Mayor Keyes, Ald. Allmark, Ald. Breen, Ald. Clements, Ald. French, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Mackenzie, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb. (15)

MINUTES

Moved by Ald. Matthews,
Seconded by Ald. McArthur,

That the Minutes of City Council Meeting No. 9, held on March 28, 1977, and Meeting No. 10, held on April 4, 1977, be adopted as printed.

CARRIED

COMMUNICATIONS

Council consented to the addition of Communications 244 to 250.

Filed

(226) Copy of *"Background"* dated April 1, 1977 from The Honourable Darcy McKeough, Treasurer of Ontario.

(Note: Copies have been distributed to all members of Council).

(227) From Mr. D. L. Hardtman, City Solicitor, reporting on the O.M.B. Hearing on the application by The Corporation of the City of Kingston for an Order approving the purchase of 35.20 acres of land located north of the Bath Road and east of Little Cataraqui Creek, to conserve such low-lying land in its natural state at an estimated cost of $500,000.00 and the borrowing of money therefor; and the issuance of debentures in the sum of $500,000.00 for a term of ten years;which was held on March 10, 1977, and upon which a decision was reserved.

(228) From Central Mortgage and Housing Corporation enclosing cheque in the amount of $1,905.00 representing R.R.A.P. Administration Fees.

(229) From the Canadian Olympic-training Regatta, thanking the Members of Council for notice of approval of their grant for 1977.

(230) From the Agnes Etherington Art Centre thanking the Members of Council for notice of approval of their grant for 1977.

Which Had Been Referred to the Public Works Committee

(231) From Susan C. Davis, 12 Grosvenor Court, expressing concern about the damage to vegetation on the right-of-way from Princess Street to Sherwood Drive by the contractor who installed the sewer.

COMMUNICATIONS (Cont'd)

Referred to the City of Kingston Planning Board and the Finance and Accounts Committee

(232) From Mr. Raymond J. Doyle, Frontenac-Lennox and Addington County Roman Catholic Separate School Board requesting Council's study of an enclosed copy of a Development agreement for 4390 acres of land reached between Mississauga and a local developer, providing that school boards could purchase property as it was developed in stages at a pre-determined price per acre which ultimately relieved some of the excessive costs which school boards have had to face in recent years and which costs are eventually passed on to the local taxpayer.

Filed

(233) Copy of *Fire Marshals Quarterly News* from the Ministry of the Solicitor General.

Which Had Been Referred to the City of Kingston Planning Board

(234) Applications to amend the Official Plan and Zoning By-Law No. 8499 by Bob Martin Construction Co. Ltd. for the 2.5 acre site at 1000 Montreal Street (Corner of Briceland) to permit Multiple Family (28 Units/Acre).

Filed

(235) Copy of *Ontario Budget 1977* and of *1977 Ontario Assistance to Local Governments* from The Honourable Darcy McKeough, Treasurer of Ontario.

Referred to the Finance and Accounts Committee

(236) From Bureau of Municipal Research giving notice of their Annual Business Meeting, to be held on May 12th, 1977, in the V.I.P. Room, Concourse Level (one level below the Main Lobby), at the Sheraton Centre, 123 Queen Street West, Toronto, at 11:00 A.M.

Referred to the Community Services Committee

(237) From the Ministry of Community and Social Services enclosing copy of the announcement of The Honourable Keith Norton, Minister of Community and Social Services, that municipalities, made directly responsible for the cost of juveniles committed by the Courts, will have these costs subsidized by the Ontario Government for the fiscal year 1976/1977 (April 1, 1976-March 31, 1977) and enclosing an application form for payment of this one time grant.

Filed

(238) From Mr. J. B. Sampson enclosing copy of letter to the Minister of Housing concerning application of McDonald's Restaurants of Canada Limited to the Committee of Adjustment for severance of a parcel of land having 200 feet frontage on Division Street. He alleges that the Committee have no authority to requiring conveyance of land that does not abut on the severance and requests that the Minister of Housing issue an order approving the severance and amending Zoning By-Law No. 8992.

COMMUNICATIONS (Cont'd)

Filed (Cont'd)

(239) Copy of *Impact of Beverage Alcohol on the Criminal Justice System: A Pilot Study* from The Provincial Secretariat for Justice.

Referred to the Finance and Accounts Committee

(240) From the University of Toronto, School of Continuing Studies, notifying of the Seminar entitled *Meanings and Modes of Motivation*, with Dr. Frederick Herzberg to be held May 26 and 27, 1977 at the Skyline Hotel, Rexdale.

Referred to the City of Kingston Planning Board

(241) From the Township of Pittsburgh notifying that they have applied to the Ontario Municipal Board for approval of their Zoning By-Law No. 6-77 to rezone land located on the west side of Highway No. 15 on part of Lots 13 and 14, Concession east of the Great Cataraqui River to introduce an R1-4 zone which permits special reduced side yards (single family dwellings) a CT-5 zone which permits a hotel, I-2 zone which permits a nursing home and OS zone which permits public use.

Referred to the Transportation Committee

(242) From W. J. A. Green, R.R. #1, Perth Road, a pilot, recommending that Mr. A. Flowers be appointed as a full time manager at Norman Rogers Airport.

Referred to City of Kingston Planning Board, Public Works Committee and Transportation Committee

(243) From the Little Cataraqui Environmental Association concerning the proposed extension of an Access Road to service lands owned by Mississauga Apartments Limited.

(Note: Copy distributed to each member of Council.)

Filed

(244) From Mr. D. C. Tousignant, Chairman-Secretary of the Kingston & District Labour Council Hand Clinic Inc. requesting that the name Kingston & District Labour Council Hand Clinic be registered as the agency collecting funds for a Hand Clinic to be incorporated within the City of Kingston, and enclosing correspondence explaining this cause.

(245) Statement of Accounts from the Canada Permanent Trust Company re S. M. Polson Estate.

(246) From the Corporation of the City of Brantford advising that they have forwarded to the Association of Municipalities a copy of the resolution received from our City Council, referring to the subject, Request for an Amendment to the Municipal Act for Authority on Temporary Street Closing.

(247) From the Ministry of Treasury, Economics and Intergovernmental Affairs, Municipal Finance Branch, acknowledgment of a resolution passed by our City Council concerning property tax reform.

COMMUNICATIONS (Cont'd)

Referred to City of Kingston Planning Board and Public Works Committee

(248) From Susan C. Davis, 12 Grosvenor Court, concerning the right-of-way from Princess Street to Sherwood Drive, advising that a community group is being organized to plant shrubs which will be obtained from the Ministry of Natural Resources, and requesting permission to carry out this project, together with any suggestions or guidelines.

Referred to the Community Services Committee

(249) From the City of Guelph requesting Council's endorsement of their following resolution:

"THAT the Federal and Provincial Governments be urged to take what action is necessary, including if need be, the presentation of legislation, to ban the importation, manufacture, sale and distribution of the "Death Race" game and other games that have a similar objective."

Referred to the Finance and Accounts Committee

(250) From J. Ed Scott, Representative, Local 109, Canadian Union of Public Employees, dated April 25, 1977, stating:

"Please be advised that at a special ratification meeting held on April 23rd, 1977, for the members of CUPE Local 109, the new agreement was ratified.

Ratification was based on the settlement reached on April 15th between the City's Negotiating Committee and CUPE Local 109's Negotiating Committee. Details of this settlement were covered in a Summary of Settlement which was prepared by the Union for their membership and given to Mr. Ready on Wednesday, April 20th, a Memorandum of Settlement given to myself on Wednesday, April 20th, which was prepared by the Personnel Department, Mr. Ready, and a draft of the complete contract, except wage rates, which was given to Mr. Cousens on Thursday, April 21st.

I await ratification by City Council which you advised the Union on April 15th would take place at the next meeting scheduled for April 25th. This was also confirmed by Alderman Hawkins on the local radio station on Monday, April 18th, and by the Mayor on the local radio station on Wednesday, April 20th.

In anticipation of ratification by City Council, let me say that although we had disagreements along the way, I am pleased that a settlement was finally reached. Anticipating your reply, I remain,"

PETITIONS

REPORTS

Ald. Miller presented Report No. 42 of the Community Services Committee as follows:

Moved by Ald. Miller,
Seconded by Ald. Tarnowecky,

That Report No. 42 of the Community Services Committee be received and adopted clause by clause.

April 14th 1977.

REPORT NO. 42

To the Mayor and Aldermen

The Community Services Committee reports and recommends as follows:

1. That Mr. Harry P. Smith of the firm of Smith, Mill and Ross, be engaged as architect for Phase 1 of the renovations to Rideaucrest Home at a rate of 10% of the actual cost upon receipt of approval of the Ministry of Community and Social Services for the renovations.

   (Preliminary estimate of $28,642 has been obtained. There are sufficient funds in the 1977 budget for this purpose. This is eligible for 70% Provincial Government subsidy.)

CARRIED

2. That, as recommended by the Public Works Committee, it be recommended to Council that Schedule "E" 4(b)(i) (aa) of the Country Club Estates Subdivision Agreement be amended by adding thereto the following:

   "P.V.C. pipe - not less than 5" internal diameter"- and further - that the standard form of subdivision agreement be amended accordingly.

   (Note: P.V.C. pipe is a high quality plastic piping for sewer laterals. This piping has been approved by the Ministry of the Environment.)

CARRIED

3. That May 4th 1977 be proclaimed Canada Fast Day in Kingston.

CARRIED

Respectfully submitted,

(Signed)
Lois E. Miller (Chairman)
Y. Tarnowecky
B. E. Breen
John Clements
N. McArthur

* * *

Ald. Matthews presented Report No. 43 of the Parks and Recreation Committee as follows:

Moved by Ald. Matthews,
Seconded by Ald. Gorham,

That Report No. 43 of the Parks and Recreation Committee be received and adopted clause by clause.

REPORTS (Cont'd)

Report No. 43

April 14, 1977

To the Mayor and Aldermen:

The Parks and Recreation Committee recommends as follows: -

1. That notwithstanding the provisions of Bylaw No. 21 - A Bylaw Fixing the Rental to be Charged for Memorial Hall, Committee Rooms and Council Chamber - the Local Council of Women be permitted to use the Council Chamber at no charge for their 2 p.m. regular meetings on the third Thursday of April, May, September, October and November 1977, it being understood that they will relinquish the use of the Council Chamber when it is required by the City.

CARRIED

2. That for a trial period of two years, the Senior Baseball League and the Kingscourt Baseball Association be permitted to rent advertising space at the Cook Youth Centre/Megaffin Stadium Complex under the following terms and conditions: -

A. advertising signs shall not exceed 8' x 3' in size.

B. revenue shall be apportioned 80% to the Baseball Leagues and 20% to the City.

C. the City's revenue shall be placed in the Youth Centre Account and shall be used to maintain and upgrade the facility.

D. the location, size and design of dug outs shall be subject to approval of the Commissioner.

E. the advertising of tobacco and alcoholic beverages shall not be permitted.

F. the fee for rental of one 8' x 3' advertising space shall be $300.00 for one year which includes the display of the sign on the stadium fence during the baseball season and display in the Youth Centre during the hockey season.

G. the fee for rental of an 8' x 3' advertising space for the period of the baseball season only shall be $200.00.

H. the fee for rental of an 8' x 3' advertising space for period of hockey season only shall be $200.00.

I. the rental agreement shall include a clause making the advertiser responsible for maintaining the sign.

J. a donation of $100.00 will be made to the Kingston Minor Hockey Association by the Baseball Leagues if Condition F applies.

CARRIED 14:1
(Ald. Mackenzie Opposed)

(See following motion which was lost)

REPORTS (Cont'd)

Report No. 43- The Parks and Recreation Committee (Cont'd)

Moved by Ald. Breen,
Seconded by Ald. Gerretsen,

That Clause 2 C, Report No. 43, be amended to read as follows:

"C. the City revenue shall be turned in to the City Treasurer."

LOST 7:8

Respectfully submitted

(Signed)

K. W. Matthews (Chairman)
M. B. Gorham
G. Allmark
T. D. French
D. G. Timmins

* * *

Ald. Hawkins presented Report No. 44 of the Public Works Committee as follows:

Moved by Ald. Hawkins,
Seconded by Ald. McArthur,

That Report No. 44 of the Public Works Committee be received and adopted clause by clause.

Report No. 44

April 18, 1977

To the Mayor and Aldermen:

The Public Works Committee recommends as follows:

1. That notwithstanding the provisions of Bylaw No. 14 - A Bylaw Relating to Sewers - the Health Sciences Complex be authorized to make two drain connections from the proposed George St. steam main to the existing combined sewer on George St. as shown, coloured in red, on Dwg. No. 1143C dated October 20, 1975 since the anticipated flow from these connections would have no appreciable effect on the flow in the sewer and at such time as sewer separation is continued in this area the combined sewer will be converted to a storm sewer. In addition, it is noted that the complex has constructed an oversized sanitary main on George St. so that the sanitary flow from the Medical Science Building will not enter the combined sewer.

CARRIED

2. That one Foreman to be selected by the Commissioner of Works be authorized to attend the T.J. Mahoney Road School sponsored by the Ontario Good Roads Association to be held at the University of Guelph during the period of May 1 to May 4, inclusive, and that his Registration Fee and out-of-pocket expenses be paid by the City.

NOTE: The Registration Fee is $96.00 and includes the cost of room and regular meals, lecture notes and binder. Reasonable out-of-pocket expenses incurred in attending the School, including the Registration Fee, where authorized by Council, may be charged to the Road Account for which the Province has agreed to pay the usual subsidy.

CARRIED

REPORTS (Cont'd)

Report No. 44 - The Public Works Committee (Cont'd)

3. That the Minister of the Environment be informed that the City of Kingston's preliminary comments on the recommendations for the Designation and Exemption of Municipal Projects under the Environmental Assessment Act contained in the Report of the Municipal Working Group are too broad in their application in that Clause 4 of the Screening Criteria reads: "*Might the proposed undertaking have effects on adjacent persons or property or persons or property not associated with the undertaking*"? thus adding to the cost of projects and delaying them. An opportunity to comment after the class environmental assessments are approved and released and after the Report on the Planning Act Review has been released would be more meaningful.

REFERRED BACK TO COMMITTEE

(See following motion of referral)

Moved by Ald. Gerretsen,
Seconded by Ald. Timmins,

That Clause 3, Report No. 44 be referred back to the Public Works Committee.

CARRIED

Respectfully submitted,

(Signed)

Joe Hawkins (Chairman)
Neil McArthur
G. Allmark
B. E. Breen
M. B. Gorham

* * *

Ald. Mackenzie presented Report No. 45 of the City of Kingston Planning Board as follows:

Moved by Ald. Mackenzie,
Seconded by Ald. Clements,

That Report No. 45 of the City of Kingston Planning Board be received and adopted clause by clause.

REPORT NO. 45

April 19, 1977

To the Mayor and Aldermen

The City of Kingston Planning Board reports and recommends as follows:

1. WHEREAS an application has been submitted by Gordon F. Tompkins Funeral Home Ltd. to amend the Official Plan and Zoning By-Law for an approximately 0.3 acre parcel of land located at the north-west corner of Clergy and Colborne Streets in order to permit an undertaker's establishment; and

   WHEREAS an undertaker's establishment has been located on the subject property for many years and this use has come to be accepted as an integral part of the neighbourhood at this location; and

   WHEREAS the Planning Board is of the opinion that an undertaker's establishment can continue to be accommodated on this site without affecting adversely the surrounding neighbourhood;

REPORTS (Cont'd)

Report No. 45 - The City of Kingston Planning Board (Cont'd)

1. (Cont'd)

THEREFORE BE IT RESOLVED that By-Laws be presented to Council as follows:

(A) to amend the Official Plan of the City of Kingston by adding the following policy as Section 5 (54B):

"Notwithstanding the policies for Specific Area No. 4 regarding the preferred location and nature of commercial and service establishments, an undertaker's establishment may be located at the north-west corner of Clergy and Colborne Streets."

(B) to amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston", as follows:

(i) by amending Zoning Map No. 18 so as to rezone the approximately 0.3 acre parcel of land located at the north-west corner of Clergy and Colborne Streets, as shown on a copy of Zoning Map No. 18 which is attached hereto as Schedule "A", from Zone A (one and two family) Residential to Zone A.130 (one and two family) Residential.

(ii) by adding as Section 130 the following:

"130. On the approximately 0.3 acre parcel of land located at the north-west corner of Clergy and Colborne Streets and designated A.130 on Zoning Map No. 18 attached to and forming part of By-Law No. 9016 *as Schedule "A":*

1. An undertaker's establishment shall also be a permitted use.

2. This undertaker's establishment shall be subject to the provisions of the A zone except that:

(a) the minimum required front yard shall be 5 feet,

(b) the maximum percentage of lot coverage shall be 41% of the total lot area."

(c) the maximum total building floor area for all buildings shall be 6,600 square feet.

(See By-Laws 1 & 2: No. 9015 & 9016) *CARRIED AS AMENDED 14:1*

(See Recorded Vote)

(See following motions of amendment)

Ald. Webb requested a recorded vote on clause 1,which was as follows:

YEAS: Mayor Keyes, Ald. Allmark, Ald. Breen, Ald. Clements, Ald. French, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Mackenzie, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb. (14)

NAYS: Ald. Matthews. (1)

REPORTS (Cont'd)

Report No. 45 - The City of Kingston Planning Board (Cont'd)

Moved by Ald. Clements,
Seconded by Ald. Tarnowecky,

That clause 1.(B)(ii), Report No. 45, be amended by adding section 2.(c) to section 130 as follows:

> "(c) the maximum total building floor area for all buildings shall be 6,500 square feet."

(See following motion of amendment)

Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That the motion of Ald. Clements and Ald. Tarnowecky to amend clause 1.(B)(ii), Report No. 45, be amended by deleting therefrom the figure "6,500" and substituting therefor the figure of "6,600".

CARRIED 11:4
(Ald. French, Ald. Matthews, Ald. Timmins, Ald. Webb Opposed)

The motion of Ald. Clements, as amended, was then considered as follows:

Moved by Ald. Clements,
Seconded by Ald. Tarnowecky,

That clause 1.(B)(ii), Report No. 45, be amended by adding section 2.(c) to section 130 as follows:

> "(c) the maximum total building floor area for all buildings shall be 6,600 square feet."

CARRIED AS AMENDED 12:3
(Ald. Allmark, Ald. Timmins, Ald. Webb Opposed)

2. That Council does hereby certify that By-Law No. 9016 , "A By-Law to Amend By-Law No. 8499, 'Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston' (Rezone 0.3 acre located at the north-west corner of Clergy and Colborne Streets from A (one and two family) Residential to A.130 (one and two family) Residential)", is in conformity with the Official Plan approved and in force in the City of Kingston and Official Plan Amendment No. 89, which has not yet been approved by the Minister.

CARRIED

3. WHEREAS it is a condition of the development control agreement with Mario Gencarelli Enterprises Ltd. that an occupancy certificate will not be issued until a four-and-a-half foot high masonry wall shall have been constructed on the property at Nelson and Princess Streets;

AND WHEREAS it is necessary for Mr. Gencarelli to submit the occupancy certificate with his application for a liquor licence for his restaurant;

AND WHEREAS Mario Gencarelli Enterprises Ltd. has applied for an extension of two weeks on the date for the commencement of the construction of the wall because of certain delays;

REPORTS (Cont'd)

Report No. 45 - The City of Kingston Planning Board (Cont'd)

3. (Cont'd)

THEREFORE BE IT RESOLVED that the development control agreement with Mario Gencarelli Enterprises Ltd. for the property on Nelson and Princess Streets be amended to permit the commencement of the construction of the four-and-a-half foot high wall two weeks after the date of the issuance of the occupancy certificate.

CARRIED

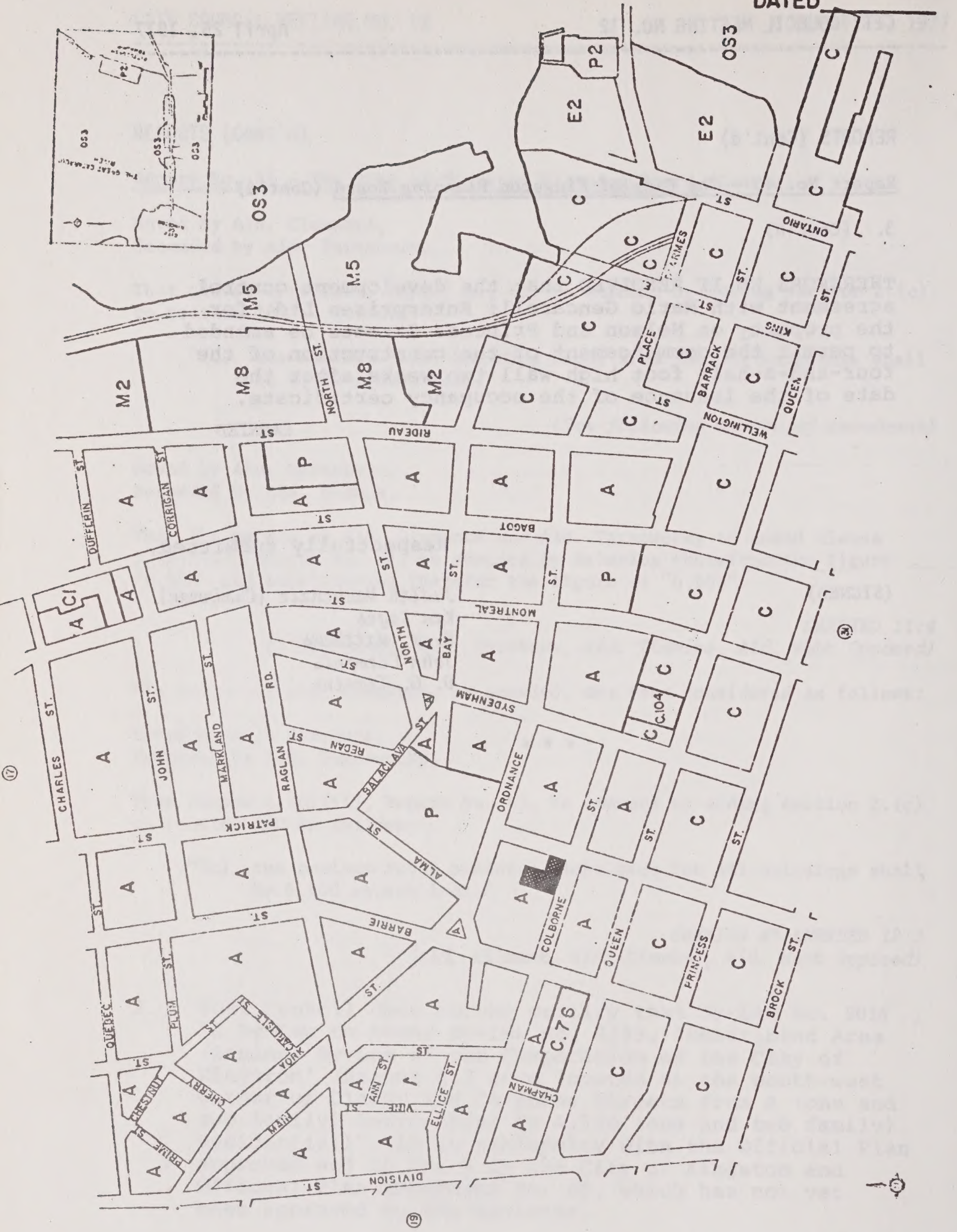
Respectfully submitted,

(SIGNED)

Judith Mackenzie (Chairman)
Ken Keyes
K. W. Matthews
John Clements
D. G. Timmins

* * *

SCHEDULE A
BY-LAW Nº_____
DATED_______



LEGEND

▨ PROPOSED ZONE CHANGE FROM A TO A MODIFIED.

MAP 18

BY-LAW Nº 8499
JULY 28, 1975
REVISED_______

REPORTS (Cont'd)

Ald. Gerretsen presented Report No. 46 of the Transportation Committee as follows:

Moved by Ald. Gerretsen,
Seconded by Ald. Clements,

That Report No. 46 of the Transportation Committee be received and adopted clause by clause.

REPORT NO. 46

April 13, 1977

To the Mayor and Aldermen:

The Transportation Committee reports and recommends as follows:

1. That the lease in the amount of $480.00 per annum with Kingston Tennis World for the area between the hangars, which was to be used for outdoor tennis courts, be terminated.

CARRIED

2. That, as requests for zoning and building line limits at the airport have been received and current information is not available, the City request from Transport Canada up-to-date airport zoning regulations for the Kingston Airport.

CARRIED

3. That the parking rate at attendant lots be increased to 40¢ after the initial 2 hours at 20¢ per hour, effective May 1, 1977.

TABLED
(See following motion)

Moved by Ald. French,
Seconded by Ald. Timmins,

That clause 3, Report No. 46,be tabled until further investigation concerning the overall plan of long range parking needs to be discussed by not only the Transportation Committee but the Downtown Business Association and the Chamber of Commerce as well.

CARRIED 11:4

Respectfully submitted,

(SIGNED)
J. P. Gerretsen (Chairman)
John Clements
T. D. French OPPOSED ITEM 3
Y. Tarnowecky
G. L. Webb

* * *

REPORTS (Cont'd)

Ald. Gerretsen presented Report No. 47 of the Finance and Accounts Committee as follows:

Council consented to the amendment of Clause 4 to include the following note:

"-AND-

since the C.P.R. will be relocating their tracks referred to in 4.(B)1) snow fence will be erected as a temporary barrier and permanent fencing will be erected after the relocation of their track."

Council consented to the addition of Clauses 11 and 12 for presentation to Council.

Moved by Ald. Gerretsen,
Seconded by Ald. Mackenzie,

That Report No. 47 of the Finance and Accounts Committee be received and adopted clause by clause.

REPORT NO. 47

April 20, 1977

To the Mayor and Members of Council;

The Committee on Finance and Accounts reports and recommends as follows:

Ald. French declared a conflict of interest in clause 1 since he is President of St. Lawrence Broadcasting Company.

1. That Lists of Accounts No. 3, dated March 3, 1977, in the amount of $4,358,725.90 for expenditures incurred under proper authorization be approved.

   (Note: Copies of Lists distributed to each member of Council on April 7, 1977.)

   CARRIED 14:0
   (Ald. French abstained from voting)

2. That the action of the Mayor and City Treasurer in accepting the tender of Equitable Securities for the sale of $2,500,000. City of Kingston Treasury Notes at a price of $99.326 per $100.00 (Interest cost 7.74) be confirmed.

(Note: Other tenders received

Walwyn, Stodgell & Gardner Limited	*$99.32167*
Royal Bank of Canada	*99.319*
Greenshields Inc.	*99.316*
A. E. Ames	*99.325*
Dominion Securities	*99.31216*
Bank of Montreal	*99.320*
Toronto Dominion Bank	*99.322*
Wood Gundy	*99.31735*
Midland Doherty	*99.316*
McLeod Young & Weir	*99.323*
**Bank of Commerce*	*99.330**

** = Received in City Hall prior to closing time in unmarked envelope, but not received by City Treasurer until after tender was awarded to Equitable Securities.)*

CARRIED

REPORTS (Cont'd)

Report No. 47 - The Finance and Accounts Committee (Cont'd)

3. That the account of Mr. D. L. Hardtman, Q.C., City Solicitor, (Hardtman and Martin) in the amount of $1,509.45 for professional services and disbursements ($9.45) for acting for the City before the O.M.B. on March 1, 2 and 3, 1977, respecting referrals by Minister of Housing (Ontario) of Certain Parts of Amendment No.71 to Official Plan of City of Kingston Planning Area; Properties of Case; Dacon; Smith (John L.); Appeal by Vernon Law from Decision of Committee of Adjustment; Certain Lands of Cataraqui Golf and Country Club, be authorized for payment, to be charged to City of Kingston Planning Board appropriation "Zoning By-Law Amendments".

CARRIED 14:1
(Ald. Hawkins Opposed)

4. WHEREAS a problem has been reported by the Principal of Simcoe Public School that children are playing near or on the railroad tracks on the east side of the Division Street Overpass of the C.N.R. mainline by gaining access over the unfenced portion of old Division Street;

AND WHEREAS the City's Fence Viewer confirms that the situation is dangerous as it is impossible to see approaching trains until one is right on the tracks:

THAT in order to rectify this situation:

(A) the following budget appropriation transfer be approved:

FINANCE	Increase	Decrease
Miscellaneous - (2 Fences-Division St. Overpass)	$1,747.	-
Contingencies	-	$1,747.

(B) two 4' high, chain link fences are hereby authorized to be erected, as follows, at an estimated cost of $1,747.:

1) 109 ft. long to the north of the C.P.R. tracks from end of existing fence westerly to embankment of the Overpass, and

2) 126 ft. long to the south of the C.N.R. tracks from end of existing fence westerly to embankment of the Overpass.

(Note: The C.P.R. and the C.N.R. will be requested to share the cost of supply and erection of these fences

- AND -

since the C.P.R. will be relocating their tracks referred to in 4.(B)1) snow fence will be erected as a temporary barrier and permanent fencing will be erected after the relocation of their track.)

CARRIED AS AMENDED

REPORTS (Cont'd)

Report No. 47 - The Finance and Accounts Committee (Cont'd)

5. That, as recommended by the Kingston Public Library Board, Change Order No. 14 to M. Sullivan & Son Limited in the amount of $2,903.75 for the additional following work to the new Public Library be approved:

1. Automatic Doors (Previously Authorized by Council)	$2,300.
2. Revision to Elevator Machine Room to include some space from the vault	603.75

CARRIED 14:1
(Ald. McArthur Opposed)

6. That, as recommended by the Architects, Change Order No. 4 (REVISED) to T. A. Andre and Sons Limited in the revised amount of $529.67 (previous amount $273.74) for revisions to the telephone conduit system at 329 Johnson Street to meet requirements of Bell Canada be approved.

CARRIED 14:1
(Ald. McArthur Opposed)

7. That, as recommended by the Commissioner of Works, the execution of an agreement with the Canadian National Railway Company to permit the City to install, maintain and use a portion of a 42 inch diameter steel pipe for the purpose of conveying storm waters, along lands and under the tracks of the Railway, into the Railway's ditch at Mileage 0.14 of the Aluminum Spur, H.B. Mileage 174.2, Kingston Subdivision, as shown on Drawing No. A-640-[illegible]1, dated September 1976 for the sum of $15.00 per annum for the first 5 year period and subject to review each 5 year period, is hereby authorized, it being noted that the City is "to be responsible for any damage caused by flooding attributable to surplus drainage waters being put on the Railway's lands", but the City will try to have this wording modified to exclude storm water diverted by third parties.

CARRIED

8. That the Capital Budget of the City of Kingston for the Years 1977 to 1981, as follows, is hereby adopted:

Year	Total Amount
1977	$2,536,200.
1978	3,320,600.
1979	3,431,500.
1980	3,554,000.
1981	3,173,000.

(Note: (1) Recommendation of the Parks and Recreation Committee to include provision of $150,000. for Parks and Recreation General Projects is NOT included in the Quota for 1977.

If an additional amount is approved, at a later date, to be included in the Capital Budget, a supplementary request for approval by the Ontario Municipal Board will have to be made.

(2) Copy of Capital Budget has been distributed to each member of Council with the Agenda.)

CARRIED

REPORTS (Cont'd)

Report No. 47 - The Finance and Accounts Committee (Cont'd)

9. That City Hall is hereby authorized to be closed at 12 noon on Wednesday, July 6, 1977, or, in the event of inclement weather, on Wednesday, July 13, 1977, in order that the City Hall Staff Association may hold their 25th annual picnic to be held at City Park.

CARRIED

10. That the City Treasurer be authorized to pay $10,000. quarterly in advance to the Kingston Tourist and Visitors' Bureau for the first three quarters of 1977 and that the fourth quarter payment be adjusted to actual expenditures.

CARRIED

Ald. McArthur declared a conflict of interest in clause 11 since his son is a member of Local 109, C.U.P.E.

11. That Council approve the Finance Committee's position concerning amendments to the 1976 agreement with Local 109, C.U.P.E., as set out on the letter dated April 22, 1977 from the Clerk-Comptroller to Mr. Ed Scott, Union Representative, Local 109, C.U.P.E.

(Note: Copy of letter distributed to each member of Council with the Council Agenda.)

REFERRED BACK TO COMMITTEE
(See following motion)

Moved by Ald. Webb,
Seconded by Ald. Timmins

That clause 11, Report No. 47, be referred back to the Finance and Accounts Committee.

CARRIED 14:0
(Ald. McArthur abstained from voting)

12. That, as recommended by the Public Utilities Commission of The City of Kingston, a by-law be presented to Council to authorize improvements, alterations and extensions of the Natural Gas System of the City of Kingston in the amount of $50,000., to be all debentured (for balance of funds for extension to "Wycliffe" Subdivision).

CARRIED

Respectfully submitted,

(Signed)

Ken Keyes (Chairman)
J. P. Gerretsen
Joe Hawkins
Judith Mackenzie
K. W. Matthews
Lois E. Miller

* * *

UNFINISHED BUSINESS

Ald. Miller said that as requested by Ald. Matthews, she had the information that he had requested concerning homemakers and that she was in the process of getting the information that he had requested concerning early childhood education.

Ald. Webb enquired as to the reason of Professor Magnusson's attendance at a Special Finance Committee Meeting on April 29th.

Mayor Keyes said that the duties, etcetera, of a City Solicitor would be discussed with Professor Magnusson, the representative of the Dean of Law, Queen's University.

Ald. Webb suggested that senior members of the local Bar Association should also be interviewed by the Finance Committee.

Ald. Webb said that he had followed the action of the Attorney General of Ontario concerning hockey, and in relation to the recent incident in Ottawa concerning a Kingston Canadian player and an Ottawa 67 player he wished to ask that the Mayor determine why only one, the Kingston player, and not both players involved were charged. He said that he believed that there was equal involvement in the action.

Ald. Allmark noted that Canada Fast Day had been approved by the members of Council for May 4 and he noted that the Transportation Meeting was scheduled for noon and he said that he trusted the members would "fast".

Mayor Keyes said that there would be a demonstration of a new metal cutting knife by the Kingston Township Volunteer Fire Department on Thursday evening, April 28th at the Frontenac Mall.

Mayor Keyes reminded the members of Council of the seminar for Councillors to be held by the Ministry of Treasury, Economics and Intergovernmental Affairs on Thursday, May 5.

Mayor Keyes said that the Right Honourable John Diefenbaker would be in Kingston on Wednesday, April 27 to speak during the evening to a local service club, but that for two hours, from 1:15 to 3:30 p.m., he would lunch at the Harbour Restaurant with the Mayor and members of Council that could attend.

BY-LAWS

Council consented to the addition of By-Laws 6 and 7 for presentation to Counc

(A) Moved by Ald. Gerretsen,
Seconded by Ald. Hawkins,

That By-Laws 1 to 3, and 6 and 7 be given their first and second readings.

CARRIED

(B) Moved by Ald. Mackenzie,
Seconded by Ald. Matthews,

That Rule 35 of By-Law No. 1 be suspended for the purpose of giving By-Laws 3 and 7 their third reading.

CARRIED

(C) Moved by Ald. Miller,
Seconded by Ald. Gerretsen,

That By-Laws 3 and 7 be given their third reading.

CARRIED

BY-LAWS (Cont'd)

(D) Moved by Ald. Clements,
Seconded by Ald. Mackenzie,

That By-Law 4 be amended on third reading by deleting the following policies for Specific Area No. 7 (Sydenham Ward):

> *"In addition to the uses already permitted in Sydenham Ward, on the approximately 3.4 acre area of land and water located between Maitland and Simcoe Streets, south of King Street, the existing Kingston Yacht Club and associated facilities shall also be permitted provided no major expansion is undertaken."*

and by substituting therefor the following policies for Specific Area No. 7 (Sydenham Ward):

> *"In addition to the uses already permitted in Sydenham Ward, on the approximately 2.7 acre area of land and water located between the eastern edge of Maitland and the western edge of Simcoe Streets, and their extensions, south of King Street, the existing Kingston Yacht Club and associated facilities shall also be permitted provided no major expansion is undertaken."*

CARRIED 8:7
(See recorded vote)

Ald. Mackenzie requested a recorded vote, which was as follows:

YEAS: Mayor Keyes, Ald. Clements, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Mackenzie, Ald. Miller, Ald. Tarnowecky. (8)

NAYS: Ald. Allmark, Ald. Breen, Ald. French, Ald. Matthews, Ald. McArthur, Ald. Timmins, Ald. Webb. (7)

(E) Moved by Ald. Clements,
Seconded by Ald. Mackenzie,

That By-Law 5 be amended on third reading by deleting the following therefrom:

> *"by amending Zoning Map No. 31 so as to rezone the approximately 3.4 acre area of land and water located between Maitland and Simcoe Streets, south of King Street, as shown on a copy of Zoning Map No. 31 which is attached hereto as Schedule "A", from zones A (one and two family) Residential and OS3 Harbour Open Space to P2.127 Water-Area (Park)."*

and by substituting the following therefor:

> *"by amending Zoning Map No. 31 so as to rezone the approximately 2.7 acre area of land and water located between the eastern edge of Maitland and the western edge of Simcoe Streets, south of King Street, as shown on a copy of Zoning Map No. 31 which is attached hereto as Schedule "A", from zones A (one and two family) Residential and OS3 Harbour Open Space to P2.127 Water-Area (Park)."*

CARRIED

BY-LAWS (Cont'd)

(F) Moved by Ald. Clements,
Seconded by Ald. Mackenzie,

That By-Law 5 be further amended on third reading by deleting the amendment to Section 127 and by substituting therefor the following:

"127. On the approximately 2.7 acre area of land and water located between the eastern edge of Maitland and the western edge of Simcoe Streets, south of King Street and designated P2.127 on a copy of Zoning Map No. 31 attached to and forming part of By-Law No. 8995 as Schedule "A":

(a) The permitted uses shall only include:

(i) The Kingston Yacht Club and buildings, structures, and facilities associated therewith;

(ii) Four dwelling units.

CARRIED

(b) The regulations for the above uses shall be as follows:

(i) Maximum Building Height

The main Club House and the building commonly referred to as the "Saints Rest" located at Civic Number 13, Maitland Street.....35 feet;

All other buildings..................15 feet.

CARRIED

(ii) No buildings shall be allowed over existing water areas.

CARRIED 8:7

(iii) No outside storage, except boats and equipment shall be permitted.

CARRIED

(iv) The minimum number of required off-street vehicle parking spaces shall be 22.

CARRIED

(v) The maximum total building floor area for all buildings shall be 28,200 sq. ft.

CARRIED 11:4

(vi) Any increase in dining room or bar facilities shall require an increase in off-street parking in accordance with By-Law 8499, Section 5.3 a (b) (2).

CARRIED 8:7

(vii) The Development Control provisions as set out in Section 5.30 of By-Law 8499 shall apply to all forms of development or redevelopment except internal alterations."

CARRIED 10:5

by amending Zoning Map No. 31 so as to rezone the extensions of Maitland and Simcoe Street as shown on a copy of Zoning Map No. 31, which is attached hereto as Schedule "A", from zone A (one and two family) Residential to OS3.128 Harbour Open Space.

by adding as Section 128 the following:

"128. Within those areas located on the extensions of Maitland and Simcoe Streets and designated OS3.128 on a copy of Zoning Map No. 31 attached to and forming part of By-Law No. 8995 as Schedule "A", the existing breakwater shall be permitted to be used as a dock or landing place and for the storing of dry mooring of boats and equipment in association with the Kingston Yacht Club."

CARRIED

(See following motion of amendment which was lost)

BY-LAWS (Cont'd)

(F) (Cont'd)

Moved by Ald. Timmins,
Seconded by Ald. Webb,

That Section 127. (b) (ii) be deleted.

LOST 7:8
(See Recorded Vote)

Ald. Webb requested a recorded vote on the motion of Ald. Timmins and Ald. Webb to amend Section 127. (b) (ii), which was as follows:

YEAS: Mayor Keyes, Ald. Allmark, Ald. Breen, Ald. French, Ald. Tarnowecky, Ald. Timmins, Ald. Webb. (7)

NAYS: Ald. Clements, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Mackenzie, Ald. Matthews, Ald. McArthur, Ald. Miller. (8)

By-Laws 4 and 5 were then considered as follows:

(G) Moved by Ald. Mackenzie,
Seconded by Ald. Clements,

That By-Law 4, as amended, be given its third reading.

CARRIED 8:7

(H) Moved by Ald. Mackenzie,
Seconded by Ald. Clements,

That By-Law 5, as amended, be given its third reading.

CARRIED 10:5
(See recorded vote)

Ald. Mackenzie requested a recorded vote on the third reading of By-Law 5, which was as follows:

YEAS: Mayor Keyes, Ald. Clements, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Mackenzie, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky. (10)

NAYS: Ald. Allmark, Ald. Breen, Ald, French, Ald. Timmins, Ald. Webb. (5)

(1) A By-Law to Amend the Official Plan of The City of Kingston Planning Area (Amendment No. 89: Undertaker's Establishment, Clergy and Colborne Streets).

(FIRST AND SECOND READINGS) (PROPOSED NO. 9015)
Clause 1(A) Report No. 45, 1977

CARRIED

(2) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Rezone 0.3 acre located at the north-west corner of Clergy and Colborne Streets from A (one and two family) Residential to A.130 (one and two family) Residential).

(FIRST AND SECOND READINGS) (PROPOSED NO. 9016)
Clause 1(B) Report No. 45, 1977

CARRIED

(3) A By-Law to Confirm the Proceedings of Council at Its Meeting held on April 25, 1977.

(THREE READINGS) (PROPOSED NO. 9017)
City Council Meeting No. 12

CARRIED

BY-LAWS (Cont'd)

(4) A By-Law to Amend the Official Plan of The City of Kingston Planning Area (Amendment No. 88: Kingston Yacht Club).

(THIRD READING) (PROPOSED NO. 8994)
Clause 1 (a), Report No. 30, 1977
- AND -
Motion, Page 241, City Council Meeting No. 12

CARRIED AS AMENDED 8:7

(5) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Rezone 3.4 Acres of Land and Water (Kingston Yacht Club) Southerly End of Maitland and Simcoe Streets).

(THIRD READING) (PROPOSED NO. 8995)
Clause 1 (b), Report No. 30, 1977
- AND -
Motions, Pages 241, 242, 243, City Council Meeting No. 12

CARRIED AS AMENDED 10:5

(6) A By-Law to Authorize Extensions and Improvements to the Natural Gas System in the City of Kingston in the Amount of $50,000.

(FIRST AND SECOND READINGS) (PROPOSED NO. 9018)
Clause 12, Report No. 47, 1977

CARRIED

(7) A By-Law to Authorize the Execution of an Agreement with Jeanne Bak. (Sewer connection - Aberdeen Street)

(THREE READINGS) (PROPOSED NO. 9019)
By-Law No. 14

(Note: For sewer connection to Aberdeen Street from Part of Lots 1 and 2, Plan B34, Part Block 0-1, Abstract Block Subdivision on Aberdeen Street.)

CARRIED

MOTIONS

(1) Moved by Ald. Miller,
Seconded by Ald. Gerretsen,

That the congratulations of Council be extended to the Domino Theatre for winning the BEST PLAY Award for their presentation of *Gingerbread Lady* at the 1977 Eastern Ontario Drama League Festival and for winning the following five other awards:

Best Actress - Carolyn Hetherington
Best Actor - Charles Pullen
Best Director - David Tompkins
Best Costuming - Ruth McKay
Best Set Design - David Tompkins

CARRIED

MOTIONS (Cont'd)

(2) Moved by Ald. Matthews,
Seconded by Ald. Gerretsen,

That the sympathy of Council be expressed to the family of the late Rebecca Cohen.

CARRIED

(3) Moved by Ald. Miller,
Seconded by Mayor Keyes,

That, since the Kingston & District Labour Council requires the consent of Council to include the word "Kingston" in the name *Kingston & District Labour Council Hand Clinic*, and since this approval is urgently required so that the District Labour Council Hand Clinic may receive a needed telephone number:

Therefore be it resolved that Council hereby consents to the use of the word "Kingston" in the name *Kingston & District Labour Council Hand Clinic.*

CARRIED

(4) Moved by Ald. Tarnowecky,
Seconded by Ald. Timmins,

That Council do now adjourn.

CARRIED

Council adjourned at 11:30 P.M.

(L.S.)

(Signed) T. J. McKibbin
Clerk-Comptroller

(Signed) Ken Keyes
Mayor

CITY COUNCIL MEETING NO. 13

Local Govt.

A Special Meeting of City Council summoned by the Mayor will be held in the Council Chamber at City Hall on Monday, May 2, 1977, at 5:15 P.M.

ROLL CALL

REPORT - Presentation of Report No. 47A

COMMITTEE OF THE WHOLE, Which Will NOT BE OPEN TO THE PUBLIC

(1) That Council Resolve itself into a Committee of the Whole, which will not be open to the Public, to consider Report No. 47A of the Finance Committee after Mr. Phelps speaks to the members.

(2) That the Rules of Procedure be suspended in order to permit Mr. William Phelps, Q.C., the City's Counsel, to speak to the members of Council in the Commitee of the Whole.

REPORT NO. 47A

April 29, 1977

The Finance Committee Reports and Recommends as follows:

1. That Council approve the Finance Committee's position concerning amendments to the 1976 agreement with Local 109, C.U.P.E., as set out on the letter dated April 22, 1977 from the Clerk-Comptroller to Mr. Ed Scott, Union Representative, Local 109, C.U.P.E.

(Note: Copy of letter distributed to each member of Council only with this Council Agenda.)

Respectfully submitted,

(CHAIRMAN)

(3) That Council rise from the Committee of the Whole and the Chairman Report.

BY-LAWS

(A) That By-Law 1 be given its first and second reading.

(B) That Rule 35 of By-Law No. 1 be suspended for the purpose of giving By-Law 1 its third reading.

(C) That By-Law 1 be given its third reading.

(1) A By-Law to Confirm the Proceedings of Council at Its Meeting held on May 2, 1977.

(THREE READINGS) (PROPOSED NO. 9020)
City Council Meeting No. 13

MOTIONS

AO5
01

CITY COUNCIL MEETING NO. 13

Local Govt

A Special Meeting of City Council summoned by the Mayor will be held in the Council Chamber at City Hall on Monday, May 2, 1977, at 5:15 P.M.

ROLL CALL

REPORT - Presentation of Report No. 47A

COMMITTEE OF THE WHOLE, Which Will NOT BE OPEN TO THE PUBLIC

(1) That Council Resolve itself into a Committee of the Whole, which will not be open to the Public, to consider Report No. 47A of the Finance Committee after Mr. Phelps speaks to the members.

(2) That the Rules of Procedure be suspended in order to permit Mr. William Phelps, Q.C., the City's Counsel, to speak to the members of Council in the Commitee of the Whole.

REPORT NO. 47A

April 29, 1977

The Finance Committee Reports and Recommends as follows:

1. That Council approve the Finance Committee's position concerning amendments to the 1976 agreement with Local 109, C.U.P.E., as set out on the letter dated April 22, 1977 from the Clerk-Comptroller to Mr. Ed Scott, Union Representative, Local 109, C.U.P.E.

(Note: Copy of letter distributed to each member of Council only with this Council Agenda.)

Respectfully submitted,
(CHAIRMAN)

(3) That Council rise from the Committee of the Whole and the Chairman Report.

BY-LAWS

(A) That By-Law 1 be given its first and second reading.

(B) That Rule 35 of By-Law No. 1 be suspended for the purpose of giving By-Law 1 its third reading.

(C) That By-Law 1 be given its third reading.

(1) A By-Law to Confirm the Proceedings of Council at Its Meeting held on May 2, 1977.

(THREE READINGS) (PROPOSED NO. 9020)
City Council Meeting No. 13

MOTIONS

Local Govt.

CITY COUNCIL MEETING NO. 13

A Special Meeting of City Council was held in the Council Chamber at City Hall on Monday, May 2, 1977 at 5:27 P.M. His Worship, Mayor Keyes presided.

ROLL CALL

Mayor Keyes, Ald. Allmark (arrived at 6:45 P.M.), Ald. Breen, Ald. Clements, Ald. French, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Mackenzie, Ald. Matthews, Ald. McArthur, Ald.Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb. (15)

Ald. McArthur declared a conflict of interest in Report No. 47A in that his son is a member of Local 109, C.U.P.E.

REPORT

Ald. Gerretsen presented Report No. 47A of the Finance and Accounts Committee as follows:

Moved by Ald. Gerretsen,
Seconded by Ald. Matthews,

That Report No. 47A of the Finance and Accounts Committee be received and adopted.

REPORT NO. 47A

April 29, 1977

The Finance Committee Reports and Recommends as follows:

1. That Council approve the Finance Committee's position concerning amendments to the 1976 agreement with Local 109, C.U.P.E., as set out on the letter dated April 22, 1977 from the Clerk-Comptroller to Mr. Ed Scott, Union Representative, Local 109, C.U.P.E.

(Note: Copy of letter distributed to each member of Council only with the Council Agenda.)

(See motions which follow and consideration of the report which occurs later in the meeting.)

Respectfully submitted,

(SIGNED)

Ken Keyes (Chairman)
J. Gerretsen
J. Hawkins
Judith Mackenzie
K. W. Matthews
Lois E. Miller OBJECT CLAUSE 1

(1) Moved by Ald. Gerretsen,
Seconded by Ald. Mackenzie,

That Council resolve itself into a Committee of the Whole, which will not be open to the Public, to consider Report No. 47A of the Finance Committee after Mr. Phelps speaks to the members, with the Mayor in the Chair.

CARRIED

(2) Moved by Ald. Gerretsen,
Seconded by Ald. Mackenzie,

That the Rules of Procedure be suspended in order to permit Mr. William Phelps, the City's Counsel, to speak to the members of Council in the Committee of the Whole.

CARRIED

(3) Moved by Ald. Gerretsen,
Seconded by Ald. Mackenzie,

That Council rise from the Committee of the Whole and the Chairman report.

CARRIED

The Chairman reported that Report No. 47A of the Finance Committee had been considered in the Committee of the Whole and amended; that the recommendations of the City Negotiating Committee were also considered; and that the following motion had been considered and approved:

Moved by Ald. Tarnowecky,
Seconded by Ald. Hawkins,

That the recommendations of the Finance Committee concerning amendments to the 1976 agreement with Local 109, C.U.P.E., as set out on the letter dated April 22, 1977, from the Clerk-Comptroller to Mr. Ed Scott, Union Representative, Local 109, C.U.P.E., AS AMENDED IN THE COMMITTEE OF THE WHOLE, be approved.

CARRIED 11:3

Council then considered Clause 1 of Report No. 47A, AS AMENDED IN THE COMMITTEE OF THE WHOLE, as follows:

1. That the recommendations of the Finance Committee concerning amendments to the 1976 agreement with Local 109, C.U.P.E., AS AMENDED IN THE COMMITTEE OF THE WHOLE, be approved.

CARRIED AS AMENDED 11:3
(See recorded vote)

(Note: A copy of the Finance Report as amended is on file in the Office of the Clerk-Comptroller and copies have been distributed to all members of Council.)

Ald. Hawkins requested a recorded vote on Clause 1, Report No. 47A, as amended, which was as follows:

YEAS: Mayor Keyes, Ald. Allmark, Ald. Breen, Ald. French, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Mackenzie, Ald. Matthews, Ald. Tarnowecky, Ald. Timmins. (11)

NAYS: Ald. Clements, Ald. Miller, Ald. Webb. (3)

ABSTAINED: Ald. McArthur. (1)

BY-LAWS

(A) Moved by Ald. Gerretsen,
Seconded by Ald. Hawkins,

That By-Law 1 be given its first and second readings.

CARRIED

BY-LAWS (Cont'd)

(B) Moved by Ald. Mackenzie,
Seconded by Ald. Matthews,

That Rule 35 of By-Law No. 1 be suspended for the purpose of giving By-Law 1 its third reading.

CARRIED

(C) Moved by Ald. Miller,
Seconded by Ald. Gerretsen,

That By-Law 1 be given its third reading.

CARRIED 12:3
(Ald. Clements, Ald. Miller, Ald. Webb Opposed)

(1) A By-Law to Confirm the Proceedings of Council at Its Meeting held on May 2, 1977.

(THREE READINGS) (PROPOSED NO. 9020)
City Council Meeting No. 13

CARRIED

MOTIONS

(1) Moved by Ald. Timmins,
Seconded by Ald. Webb,

That Council do now adjourn.

CARRIED

Council adjourned at 9:45 P.M.

(L.S.)

(Signed) T. J. McKibbin
Clerk-Comptroller

(Signed) Ken Keyes
Mayor

(2) Moved by Ald. Gerretsen,
Seconded by Ald. [illegible],

That the Rules of Procedure be [illegible] to permit Mr. William [illegible], the City's [illegible], to speak to the members of [illegible] in the Committee of the Whole.

(3) Moved by Ald. [illegible],
Seconded by [illegible]

[illegible] a note from the Committee of the Whole and the Chairman [illegible]

CARRIED

The [illegible] of the Finance Committee had been [illegible] that the recommendations of the Negotiating Committee were also considered, and that the [illegible] has been considered and approved.

Moved by Ald. [illegible],
Seconded by Ald. [illegible],

That the recommendations of the Finance Committee concerning amendments to the 1976 agreement with [illegible] on the [illegible] dated April [illegible], 1977, [illegible] be approved.

CARRIED

[illegible] MOTION, [illegible]

1. That the recommendations of the Finance Committee concerning amendments to the 1977 agreement with Local 109, C.U.P.E., AS AMENDED IN THE COMMITTEE OF THE WHOLE, be approved.

CARRIED AS AMENDED (12)
(Vote recorded below)

NOTE: A copy of the Finance Report as amended is on file in the office of the Clerk-Comptroller and copies have been distributed to all members of Council.

Ald. [illegible] requested a recorded vote on Clause 1, Report No. [illegible], as amended, which was as follows:

YEAS: Mayor Kaye, Ald. [illegible], Ald. [illegible], Ald. [illegible], Ald. Gerretsen, Ald. Gordon, Ald. [illegible], Ald. [illegible], Ald. Matthews, Ald. [illegible], Ald. [illegible]. (12)

NAYS: Ald. Clements, Ald. [illegible]. (2)

ABSTAINED: Ald. [illegible]. (1)

BY-LAWS

(a) Moved by Ald. Gerretsen,
Seconded by Ald. [illegible],

That By-Law 1 be given its first and second readings.

CARRIED

Local Govt.

CITY COUNCIL MEETING NO. 14

The Regular Meeting of City Council will be held in the Council Chamber at City Hall on Monday, May 9th, 1977 at 8:00 P.M.

ROLL CALL

PRESENTATIONS

PRESENTATION OF THE HONOURABLE ACHIEVEMENT AWARD TO:

(1) William G. Chapman

(2) Dr. J. J. Deutsch (posthumously)

(3) Leonard Dover

TABLING OF DOCUMENTS

MINUTES

That the Minutes of City Council Meeting No. 11, held on April 12, 1977 Meeting No. 12, held on April 25, 1977 and Meeting No. 13, held on May 2, 1977, be adopted as printed.

COMMUNICATIONS

To Be Filed

(251) From the Consumers' Association of Canada, Kingston Branch, thanking the members of Council for notice of approval of their grant for 1977.

(252) From Kingston Bus For The Handicapped, thanking the members of Council for notice of approval of their grant for 1977.

(253) Copies of *"Background"* dated April 7, 1977 and April 15, 1977, from The Honourable Darcy McKeough, Treasurer of Ontario.

(Note: Copies have been distributed to all members of Council).

(254) From the Cataraqui Region Conservation Authority, notifying of a General Meeting of the Cataraqui Region Conservation Authority to be held in the Frontenac County Council Chambers, Court House, Kingston, on Wednesday, May 18th, 1977 at 8:00 P.M.

(255) Minutes of Meeting of Executive of the Cataraqui Region Conservation Authority, held on April 13, 1977.

(256) Minutes of Meeting of the Kingston Tourist & Visitors' Bureau, held on April 20, 1977.

(257) Copy of "Annual Report 1976" from the Central Mortgage and Housing Corporation.

COMMUNICATIONS (Cont'd)

To Be Filed (Cont'd)

(258) From the Cataraqui Region Conservation Authority, acknowledging receipt of Council's resolution concerning acquisition of property, Auld Subdivision, and notifying they are referring the matter to their executive committee at a meeting to be held May 11, 1977.

(259) From The Honourable Keith Norton, Minister of Community and Social Services, thanking Council for receipt of copies of resolutions endorsed at City Council Meeting No. 11.

To Be Referred to the City of Kingston Planning Board

(260) Invitation to the Annual Meeting of the Little Cataraqui Environment Association, to be held Thursday, May 12, 1977, 7:30 P.M., St. Lawrence College in Rooms S220-221. Guest Speaker: Mr. John Lamoureux - *"The Role and Importance of Marshes in Ecology"*.

To Be Referred to the Selection Committee

(261) From the N.I.P. Committee concerning the acquisition of non-conforming uses (N.I.P. Redevelopment Plan), together with interviews and input received from the residents where these non-conforming uses exist, and recommending the acquisition in the following order of priority:

1. 106 Rideau Street
2. 21-25 Ellice Street
3. 410-412 Bagot Street
4. 79 North Street
5. 538-556 Bagot Street

To Be Filed

(262) From Mr. and Mrs. Donald Silver, William Street, expressing thanks to the members of Council for the floral arrangement sent to them on their 50th Wedding Anniversary, and for the Mayor's letter of good wishes.

(263) Copy of *Road Runner* from the Ontario Good Roads Association dated April 1977.

Which Has Been Referred to Finance and Accounts Committee

(264) From The World of One in Seven concerning the cutbacks to the finances of the Social Planning Council and notifying that The World of One in Seven completely support the Social Planning Council's activities and urge more City input for this worthwhile cause.

(265) From the News Director, CKWS Radio & Television, requesting a grant of $400.00 from the City to sponsor a luncheon on May 13, 1977, during the Regional Radio and Television News Directors Association Convention at the Holiday Inn.

COMMUNICATIONS (Cont'd)

Which Has Been Referred to Finance and Accounts Committee (Cont'd)

(266) From the Department of Fisheries and The Environment notifying that the Department of Justice is investigating the Federal ownership in the Portsmouth Olympic Harbour area and that a decision in this regard is not expected prior to six month's time. They also notify that the Department of Public Works have commenced a legal survey of the properties concerned and that it is anticipated that the plan will be ready for inclusion in a lease document within a month's time. In the meantime, they are preparing the approved lease, and upon completion of same will forward it to the City for perusal and execution by the City.

(267) From Public Works Canada copy of Order in Council, No. PC 1977-994, dated April 5, 1977, approving the sale of Parts 1, 2 and 3, Reference Plan 1361 to the City of Kingston for extension of part of Lower Union Street for $1.

(268) From The Honourable Robert Welch, Minister of Culture and Recreation, Ontario, advising that Ontario has been selected as the host Province for the 1981 Canada Summer Games and that formal bids will be solicited in the Fall of 1977 from Municipalities who wish to apply to host the 1981 Games, notice to be given by June 1st, 1977.

(269) From Black, Black, Pedlar & Atkinson, Solicitors for Mrs. Dorothy Geiger who owns property at the foot of Maitland Street directly west of the Kingston Yacht Club, notifying that Mrs. Geiger is prepared to enter into an agreement with the City that the 44 feet on the west side of Maitland Street, not leased by the City to the Kingston Yacht Club,would remain public in order to guarantee access to the water, and requesting repairs to the retaining wall that the City constructed when the intercepter sewer was constructed a number of years ago.

(270) From Beaufort Realties (1964) Inc. concerning their lands forming Part of Lots 15 and 16, Concession 2, City of Kingston, on the north side of Bath Road, west of Queen Mary Road, as follows:

> *"I refer you to the above-captioned lands which our company owns and our letter of March 11, 1977 with respect to same.*
>
> *I hereby wish to advise the City of Kingston that it is not our intention to sell these lands to the City of Kingston any longer.*
>
> *We are preparing a subdivision proposal for these lands for the development of a single family subdivision and will be submitting same to the Planning Committee for their consideration and approval very shortly.*
>
> *I wish to thank you for all the efforts you have made on our behalf."*

(271) From Mr. John L. Smith, Real Estate Broker, re Lot 16, Concession 2, as follows:

> *"I request permission to construct a street on my right of way over lands held by Mississauga Apartments Ltd. with a 68 ft. street entrance onto the PARKWAY giving access to Princess St. and Sherwood Drive. This is the only access to the lands designated B1-110 under by-law 8499."*

COMMUNICATIONS (Cont'd)

To Be Filed

(272) From J. F. Brown, Director, Community Renewal Branch of the Ministry of Housing, Ontario, enclosing Ontario Home Renewal Program - form revisions and amendment to Regulation 688/74, and notifying that the City of Kingston is eligible, under the new regulations for a grant calculated as follows:

No. of Population	x	$2.27 plus $72,223. =	
60,902	x	2.27 plus 72,223. =	$210,470.54

(273) Copy of *Great Lakes FOCUS On Water Quality* from the International Joint Commission, Windsor, Ontario, April 1977.

To Be Referred to the Finance and Accounts Committee

(274) From Mr. D. L. Hardtman, City Solicitor, enclosing copy of a letter from Black, Black, Pedlar & Atkinson, Solicitors for Mrs. Dorothy Geiger, suggesting that the amendment to By-Law 8499, rezoning the Kingston Yacht Club property, does not uphold the public's interest and protect public access to the water at the foot of Maitland and Simcoe Streets as was the intention of the motion of Ald. Clements and Ald. Mackenzie, as the exception of the permitted use of the Yacht Club to store boats and equipment across the complete 66' street end would apply over other permitted uses of public docks as set out in the By-Law.

To Be Referred to the Housing Sub-Committee

(275) Copy of Speech for Mr. Jean-Robert Gauthier, M.P., Parliamentary Secretary to Minister of State for Urban Affairs to Canadian Mobile Home Association at the Holiday Inn, Ottawa on April 14, 1977.

To Be Referred to City of Kingston Planning Board

(276) From the Township of Mono, requesting their following resolution be endorsed:

> *"WHEREAS the Regions and Municipalities of Ontario have been asked to comment on "A Policy for Mineral Aggregate Resource Management in Ontario" which is the January 1977 Report of the Ontario Mineral Aggregate Working Party;*
>
> *AND WHEREAS said Working Party has recommended to the Minister of Natural Resources and through him to the Government of Ontario, drastic and fundamental changes in regulatory powers in the Province;*
>
> *AND WHEREAS the said Working Party in its recommendations nos. 27, 28, 29, 30 and 31 requests that "local zoning by-laws cease to apply to the control and location of pits and quarries"; that "The Planning Act be amended to remove municipal power to prohibit pits and quarries" and, similarly, that the Municipal Act should be amended to remove the regulatory powers of municipalities;*
>
> *AND WHEREAS the foregoing recommendations will be replaced by a new Act to be administered by the Ministry of Natural Resources;*

COMMUNICATIONS (Cont'd)

To Be Referred to City of Kingston Planning Board (Cont'd)

(276) (Cont'd)

> *AND WHEREAS such unusual powers are unnecessary because abundant mineral aggregate reserves exist in less socially and environmentally sensitive areas of Ontario, as recognized in the Working Party's Report.*
>
> *THEREFORE, the Municipality of the Township of Mono hereby resolved:*
>
> 1. *THAT it rejects the recommendations of the Working Party Report which reduce or eliminate municipal powers to regulate pits and quarries. Municipalities should have the power under The Planning Act to control the opening of new pits and quarries within their boundaries, and to contain existing pits and quarries within defined boundaries;*
> 2. *THAT this Council unanimously endorses the Working Party's recommendation number 26: "That the Planning Act be amended to define the mining of a pit or quarry as a use of land within the meaning of Section 35(1)1 of The Planning Act";*
> 3. *THAT for the supply of local needs within the smaller municipality and for wayside pits for local road building and maintenance, aggregates may continue to be extracted locally, but the Province should adopt policies which will encourage aggregate mining for the needs of large urban centres to be undertaken in more remote, unpopulated parts of the Province, which have shown to be ecologically suitable.*
> 4. *THAT in recognition of the fact that the present Pits and Quarries Control Act has not been effectively enforced by the Ministry of Natural Resources, particularly with respect to rehabilitation of existing aggregate pits, it is recommended that the Province amend the Act to positively ensure the full rehabilitation of existing pits on a progressive basis, with the costs to be fully borne by the pit owners."*

To Be Filed

(277) From The Honourable W. Darcy McKeough, Treasurer of Ontario, thanking Council for receipt of the resolution concerning OHIP's relocation to Kingston, particularly the resolution urging the government to locate OHIP in Downtown Kingston. He advises the government is seriously examining the feasibility of locating the offices in the central core.

To Be Referred to the Finance and Accounts Committee

(278) From the City of Windsor, requesting their following resolution be endorsed:

> *"That the Province of Ontario BE REQUESTED to reconsider their ruling on the elimination of the exemption of Retail Sales Tax for municipalities regarding equipment used in the process of sewage treatment and disposal and the process of water treatment and electrical distribution equipment;"*

COMMUNICATIONS (Cont'd)

To Be Referred to the Community Services Committee

(279) Copy of *Social Development*, March 1977, from the Canadian Council on Social Development, together with first notice of the 1978 Canadian Conference on Social Development to be held in Vancouver, British Columbia, June 18-22, 1978.

(280) From the City of Cambridge, requesting their following resolution be endorsed:

> *"That Whereas a great number of community projects may be curtailed or postponed due to the current economic climate,*
>
> *And Whereas the Province of Ontario has indicated proceeds from the Provincial Lottery would be directed towards health research and health related environmental projects,*
>
> *And Whereas no guidelines have been announced by the Province of Ontario as to what will constitute health research or health related environmental projects,*
>
> *And Whereas certain community projects might qualify and be proceeded with, through the assistance of funds received from the Provincial Lottery, if guidelines were clarified,*
>
> *Now Therefore Be It Resolved that the Province of Ontario, through the appropriate Ministry, be requested to immediately release guidelines respecting the distribution of Provincial Lottery funds."*

(281) Copy of memorandum from the Director, Child Welfare Branch, Ministry of Community and Social Services, to Presidents and Directors of all Children's Aid Societies, drawing attention to a Supreme Court of Ontario decision that a Judge of the Juvenile and Family Court does not have the jurisdiction to commit a child under Section 20 of the Juvenile Delinquents Act to a community group home with costs allocated to a municipality and notifying the Ministry is reviewing this decision to assess the potential impact. He further notifies that in the meantime, that Juvenile and Family Court Judges will begin immediately to refer and place more children with Children's Aid Societies and requesting full co-operation with the Judge's requests and that increased costs to Societies will provide a valid basis for the submission of supplementary financial systems when the full cost impact is known.

PETITIONS

REPORTS

REPORT NO. 48

April 27, 1977

To the Mayor and Aldermen:

The Transportation Committee reports and recommends as follows:

1. That, as recommended by the Administrator:

   a) the City purchase and install 20 double parking meters in the parking lot at the rear of the Court House at a cost of $9,000 (approximately $3,500 per year for three years, including carrying charges) for a trial period of one year.

   b) Meter rate to be 20¢ per hour with a two hour time limit.

   c) A chain fence be installed around the metered area which will use an existing paved driveway presently unused. The monthly parking area will continue to use the existing gate entrance.

   d) The City enforce the parking meters and keep any fine revenue derived therefrom.

   e) Brink's Canada Limited collect the meter money which will be used to defray the City's installation and maintenance costs.

   f) City By-Law Enforcement Officers enforce any illegal parking on the circular driveway in front of the Court House.

   It is noted that if the County does not wish to continue the meter parking lot after the one year trial period, the City would use the meters on City streets and/or parking lots and neither party would suffer any major financial loss.

2. That the City formally apply for a 50% subsidy of a total expenditure of $43,335.00 for traffic signals, location to be determined at a later date.

3. That the City of Kingston endorse the following resolution from the City of Guelph:

   "That the Ministry of Education and the Ministry of Transportation and Communications be urged to launch a Province-wide Education Programme relating to the use of Pedestrian crossovers."

   (Alderman Clements opposed)

4. That a two hour parking limit be implemented on the north side of Johnson Street between Barrie and Clergy Streets to be effective from 8:00 a.m. to 6:00 p.m. Monday to Friday inclusive.

May 3, 1977

5. WHEREAS Council had adopted a Planning Board recommendation on December 13, 1976 to permit only one access to Block 'S' with an emergency exit onto the easterly Block 'T-T';

   WHEREAS the Province requires that two access points be provided for subdivisions and large area land developments;

   WHEREAS the Transportation Committee considers that from a safety and traffic viewpoint, access should be from the two blocks reserved on Van Order Drive to serve Block 'S' some ten years ago in the planning of Calvin Park;

   WHEREAS at a joint meeting of Planning Board and Transportation Committee February 8, 1977 a compromise solution was agreed upon that two access points must be provided, one to be located on Portsmouth Avenue and the other to be located on Van Order Drive at Block 'T-T' reserved for future road allowance;

   WHEREAS Planning Board, on April 5, 1977 rescinded their motion of February 8, 1977;

   THAT, the Transportation Committee recommends that the compromise solution be placed before Council and recommends as follows:

   "That two access points into the Ontario Housing Corporation development, Bath Road and Portsmouth Avenue (Block 'S') be permitted, one onto Portsmouth Avenue and the other onto Van Order Drive (at the easterly Block 'T-T')."

6. That the additional right turn exit onto Bath Road with an acceleration lane be constructed in front of McDonald's Family Restaurant on a temporary basis, with the following conditions:

   i) This right turn exit be under surveillance until November 30th, 1977 at which time it would be reassessed.

   ii) If this exit is successful and the left turn movement continues to be a problem, further consideration be given to closing the left turn exit and possibly closing the existing right turn exit.

   iii) The proposed exit and required acceleration lane on Bath Road be installed at no cost to the City.

(Alderman Gerretsen opposed)

7. That the City of Kingston dedicate, as public roadway, a 4.5 foot strip of land along the north side of Bath Road adjacent to the Kingston Shopping Centre as indicated on Part 8, Plan R.165, Registered as 198344.

Respectfully submitted,

CHAIRMAN

REPORT NO. 49

April 26, 1977.

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. WHEREAS By-Law No. 8992, "A By-Law to Amend By-Law No. 8499, Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston (Rezone 1.03 Acres East Side of Division Street, north of Weller Avenue from C2.101 to C2 (Arterial) Commercial" has been given three readings by Council and notice has been sent to the affected property owners; and

   WHEREAS one letter of objection to this amendment has been received and considered by Planning Board:

   RESOLVED that the recommendation approving this zone change, as contained in Clause 1, Report No. 25, approved at the meeting of City Council held on March 14, 1977, be reaffirmed.

2. That, as recommended by the City Treasurer and the Director of Planning and Urban Renewal, application be made to the Ministry of Housing for a grant under the Ontario Home Renewal Program (OHRP - Rental) in the amount of $250,000.00 for the fiscal year of 1977 to 1978 for the purpose of making loans to owners of real property used for residential rental purposes to assist in the repair, rehabilitation and improvement of rental dwelling units, pursuant to the Housing Development Act, all as more particularly set out in the Ontario Home Renewal Program (Rental) Administration Guide.

3. That, as recommended by the City Treasurer and the Director of Planning and Urban Renewal, application be made to the Ministry of Housing for a grant under the Ontario Home Renewal Program (OHRP) in the amount of $182,706.00 for the fiscal year of 1977 to 1978 for the purpose of making loans to owners of real property used for residential purposes to assist in the repair, rehabilitation and improvement of dwelling units, pursuant to the Housing Development Act, all as more particularly set out in the Ontario Home Renewal Program Administration Guide.

   Note: Grant based on $3.00 per capita population shown in the 1976 Municipal Directory(60,902).

4. WHEREAS Ontario Housing Corporation proposes to provide rental housing accommodation for senior citizens on a geared-to-income basis on a 0.96 acre site having frontage on Bagot, Rideau and Ordnance Streets, such accommodation to comprise 103 one-bedroom units, plus one caretaker's unit;

   AND WHEREAS Zoning By-Law No. 8950, now approved by the Ontario Municipal Board, was approved for the specific purpose of allowing such a building;

   AND WHEREAS the architectural plans for the building have been considered at a public meeting:

   THEREFORE BE IT RESOLVED that, subject to the comments of the Technical Planning Committee, the following plans prepared by MacLennan Associates, Architects, dated April 26, 1977, be approved:

4. (cont'd)

Kingston OH-16 - Perspective;

Sheet 3 - Front Elevation;

Sheet 1 - Site Plan, Scale: 1" = 2-';

AND BE IT FURTHER RESOLVED that the Corporation of the City of Kingston hereby undertakes and agrees to contribute 7½% of any annual loss arising out of the operation of the said senior citizen housing.

5. WHEREAS Dacon Corporation Limited has filed application to amend Zoning By-Law No. 8499 from OS2 Private Open Space to A2 Residential (one family) for a 0.47 acre parcel of land located on Country Club Drive, 1000'± north of King Street between St. Lawrence College and Cataraqui Golf and Country Club; and

WHEREAS the application abuts the south boundary of Country Club Estates subdivision which contains 89 lots and will have the effect of allowing two additional lots:

THEREFORE BE IT RESOLVED that a by-law be presented to Council to amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" as follows:

> "By amending Zoning Map No. 28 so as to rezone that parcel of land consisting of approximately 0.47 acre, located on the east side of Country Club Drive approximately 1000' north of King Street, as shown on Zoning Map No. 28 which is attached hereto as Schedule "A", from OS2 Parks, Open Space and Flood Plain (Private Open Space) to A2 Residential (one family),"

AND BE IT FURTHER RESOLVED that the amendment to By-Law No. 8499 be conditional upon the applicant entering into an agreement with the City to construct a fence five feet high for a distance of approximately 200 feet on the east side of the Dacon property where it abuts the St. Lawrence College road, construction of the fence to be subject to the satisfaction of the City.

6. That Council does hereby certify that By-Law No. 9024 "A By-Law to Amend By-Law No. 8499, 'Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston' (Rezone 0.47 Acre East Side Country Club Drive from OS2 Parks, Open Space and Flood Plain (Private Open Space) to A2 Residential (One Family))",is in conformity with the Official Plan approved and in force in the City of Kingston.

7. WHEREAS the City has been requested to comment on an application by G. Splinter to the Ministry of Housing for draft approval of a plan of subdivision of Block B, Registered Plan 1657; and

WHEREAS examination given by members of the Technical Planning Committee shows the plan to be technically feasible; and

WHEREAS Planning Board is of the opinion that the subdivision layout is appropriate for the neighbourhood and the street townhousing development which is proposed for the site:

THEREFORE BE IT RESOLVED that the Ministry of Housing be notified

7. (cont'd)

that the City recommends the proposed subdivision for approval subject to the condition that the applicant enter into a subdivision agreement which shall include the following conditions:

(a) that each lot shall have an individual water service to the satisfaction of the Public Utilities Commission;

(b) that electrical distribution shall be underground with the developer providing easements, trenching, backfilling and sand padding, in addition to transformer pads;

(c) that final registration of the plan shall not take place until development control approval has been granted by the City and foundations are in place.

8. That the following plans prepared by Primesite Developments for the construction of a one storey, 8063 square foot shopping plaza with five stores, on a 0.76 acre parcel of land at the southeast corner of Counter Street and Aberfoyle Road:

Plan #1 - Site Plan - Scale: 1" = 20' - dated April 12, 1977
Revised April 19, 1977;

Plan #2 - Landscape Plan - Scale: 1" = 20' - dated April 12, 1977
Revised April 19, 1977;

Plan #3 - Elevations - Scale: 1" = 20' - dated April 12, 1977;

Plan #4 - Floor Plan - Scale: 1" = 20' - dated April 12, 1977;

be approved, subject to the applicant, Primesite Developments, entering into a development control agreement, which shall include the following conditions:

(a) the entrance width shall be reduced to a maximum of 25';

(b) to allow for improved access to the loading area, the easterly two parking spaces along the south property boundary shall be relocated to the satisfaction of the City;

(c) a guard rail, low wall or curb stop shall be placed between the parking spaces and the sidewalk at the front of the building so as to prevent automobiles from overhanging the sidewalk;

(d) design and placement of light standards shall be subject to City approval to ensure proper relationship to adjacent residential properties;

(e) roof mounted air conditioning units shall be screened to the satisfaction of the City if, after installation, it is deemed necessary by the City;

(f) construction details of the 4'-6" high masonry wall to be constructed along the property boundary shall be submitted for City approval;

(g) construction of the masonry wall along the east side of Aberfoyle Road and along the south boundary of the site between Aberfoyle Road and a point 25' easterly shall be deleted;

(h) each individual store shall be supplied with its own internal garbage storage facilities;

(i) the garbage enclosure at the southeast corner of the property shall be integrated in design and material with the adjacent masonry wall;

8. (cont'd)

(j) the landscaping details shall be approved by the City and implemented within one year of completion of construction;

(k) development shall be in accordance with the above listed plans.

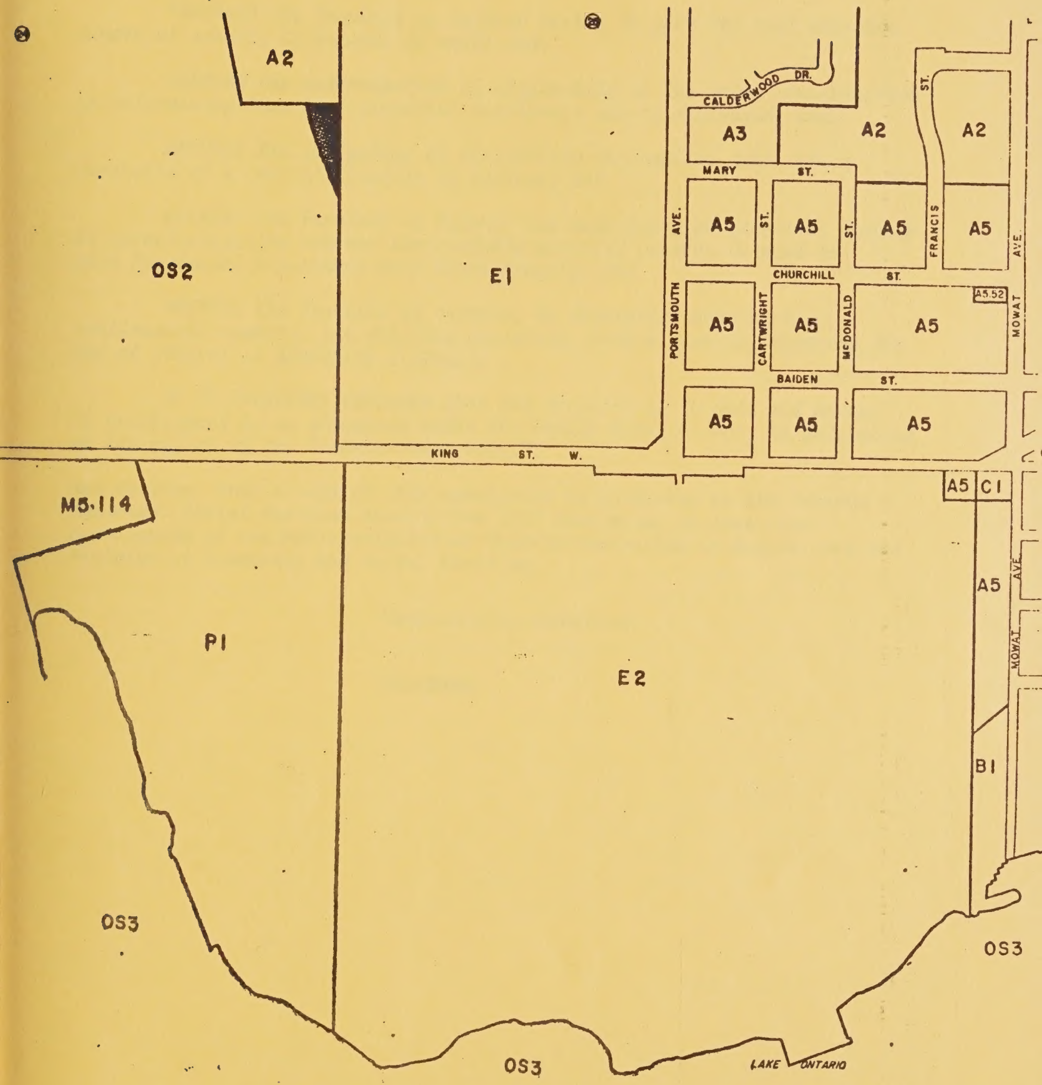
9. That the Cataraqui Region Conservation Authority be requested to make application to the Lieutenant Governor in Council, pursuant to the provisions of the Conservation Authorities Act, to extend fill regulations from the Great Cataraqui River, on the west bank from Elliot Avenue southerly to Charles Street, thence southeasterly to the eastern end of the Lasalle Causeway, and thence northerly along the eastern City limits to Elliot Avenue, as projected.

Respectfully submitted,

(CHAIRMAN)

SCHEDULE "A" TO PLANNING BOARD
REPORT NO. 49

SCHEDULE A
BY-LAW №_____
DATED_________



LEGEND

▨ TO BE REZONED FROM OS2 TO A2

MAP 28

BY-LAW № 8499
JULY 28, 1975
REVISED________

April 28, 1977.

REPORT NO. 50

To the Mayor and Aldermen

The Community Services Committee reports and recommends as follows:

1. That the following resolution be approved:

"WHEREAS the Province of Ontario wishes to give the best possible financial service to persons in need; and,

WHEREAS the determination of eligibility is the prime consideration in determining when that financial assistance can be delivered; and,

WHEREAS the evaluation of eligibility information takes place currently at a central location in Ontario; and

WHEREAS the Province of Ontario has undertaken an extensive program of decentralization and has successfully assisted persons in need to gain Provincial Assistance more expeditiously; and

WHEREAS the Province of Ontario, by reputation and practice, continuously examines its delivery processes, with a view to improving the lot of persons in financial distress;

BE IT THEREFORE RESOLVED that the decision as to date and amount of entitlement to an allowance under the Family Benefits Act, be determined at the office of the District Directors.".

And further, that a copy of this resolution be forwarded to the Ontario Municipal Social Services Association 1977 Convention in June, the Association of the Municipalities of Ontario Convention in August, and the Minister of Community and Social Services.

Respectfully submitted,

CHAIRMAN.

Public Works Report No.51

May 2, 1977

To the Mayor and Aldermen:

The Public Works Committee recommends as follows -

1. That the tender of D.Kennedy, 232 Kingscourt Avenue, Kingston, for the collection, removal and disposal of garbage from the Kingston General Hospital, Hotel Dieu Hospital, Ongwanada Hospital and Rdeaucrest Home for the period June 1, 1977 to May 31, 1980 at a price of $5400.00 yearly, be accepted being the lowest tender received, subject to his equipment being satisfactory to the Commissioner of Works; it being understood that if the Kingston Psychiatric Hospital decides to use this service, D.Kennedy shall be paid the sum of $475.00 per month to collect the garbage calculated as follows -

Tender Price for garbage collection from Kingston Psychiatric Hospital - $5700.00 ÷ 12 months = $475.00 per month

2. That the Minister of Environment be informed that the City of Kingston's preliminary comment on the recommendations for the Designation and Exemption of Municipal Projects under The Environmental Assessment Act contained in the Report of the Municipal Working Group is that the application will be too broad in that Clause 4 of the Screening Criteria reads - "Might the proposed undertaking have effects on adjacent persons or property or persons or property not associated with the undertaking?" thus adding to the cost of projects and delaying them. An opportunity to comment after the class environmental assessments are approved and released and after the Report on the Planning Act Review has been released should be more meaningful.

3. That since the Public Utilities Commission has agreed to repair their street cuts with cold patch asphalt provided by the City, the private contractors who repair their street cuts with their own cold patch asphalt be allowed a 30% reduction in the Cut Permit cost for asphalt and concrete until the termination of the Local 109 strike, this being approximately the equivalent of giving the Public Utilities Commission cold patch asphalt, notwithstanding the provisions of By-law No. 10 - A By-law Respecting Streets - and By-law No.14 - A By-law Relating to Sewers and Drains.

Respectfully submitted,

Chairman

Parks and Recreation Report No. 52

April 28, 1977

To the Mayor and Aldermen

The Parks and Recreation Committee recommends as follows -

1. That the free use of Memorial Hall by the Queen's University Choral Ensemble on May 4, 1977 for the presentation of a free public concert, be confirmed notwithstanding the provisions of By-law No.21 - A By-law Fixing the Rental to be charged for Memorial Hall, Committee Rooms and Council Chambers.

2. That, since the siting of the entrance to the F.J.Gurnsey Shopping Plaza on the south side of Princess St immediately west of Portsmouth Ave was made by the Transportation Committee which requires the removal of one City tree to provide access to the property, the charge that would normally be made under the provisions of By-law No.7936 - A By-law to Establish a Reserve Fund for Replacement of Trees - be waived without precedent notwithstanding the provison of By-law No.7936, it being understood that Mr. Gurnsey will develop a comprehensive landscaping scheme in front of his property similar to that on the opposite side of the street at Aunt Lucy's Restaurant and Kingston Dodge-Chrysler Ltd.

3. That By-law NO.19 - A By-law to Provide for the Regulation Use of Parks and Recreational Facilities of the Corporation - be amended to include the following rates for recreational swims and instructional courses at the Artillery Park Pool -

Description	Rate
ecreational Swims Monday through to Sunday 2 pm to 5 pm = 3 hours	Child - 30¢ Adult - 70¢
ecreational Swims 5.30 pm to 7 pm Monday through to Friday = 1½ hours	Child - 25¢ Adult - 35¢ Family - $1.00 maximum
Package of 50 recreational swims	$7.50
itness and Recreational Swims Monday through to Friday 12 noon to 1.30 pm = 1½ hours	75¢

Instructional Course Level	Rate
re-beginner)	$15.00/15 1 hour sessions
eginner)	
urvival)	
unior)	
ntermediate)	
enior)	

ote - A proposed program and pertinent information in regard to the Artillery Park and Community Centre pools were circulated to Council Members with the minutes of Meeting No.8 of the Parks and Recreation Committee.

........../2

4. That the tender of Riddle Haulage to supply 3,000 c.y., more or less, of screened top soil at a price of $2.40 per c.y., be accepted being the lowest tender received, it being understood that the price will be subject to a 20¢ per c.y. increase during restricted half load periods.

Respectfully submitted,

Chairman

REPORT NO. 53

May 4th, 1977

To the Mayor and Members of Council:

The Committee on Finance and Accounts reports and recommends as follows:

1. That, in accordance with the terms of the agreement between the International Hockey Hall of Fame and the City, the proposed renovations to the Hockey Hall of Fame building, as indicated by the display model and sketches as prepared by Mr. Jacques Racette, President of Jamara Incorporated of Ottawa, and shown to the Members of the Finance Committee on May 4th, 1977, be approved; it being noted that no structural alteration is involved.

2. That, as recommended by the Director of Purchasing, the following tenders for the supply of 1977 automotive equipment for the Police Department, Rideaucrest Home, Works Department, Parks Department and Transportation Department, as detailed on Summary of Tender No. 77-18 for Automotive Equipment be accepted, being the lowest cost apportionment received in the tenders:

GROUP A VEHICLES:
to Edwards Ford Mercury Sales Limited in the amount of $37,528.11, sales taxes included.

GROUP B VEHICLES:
Item 1 - to Edwards Ford Mercury Sales Limited in the amount of $17,415.32, sales taxes included.

Items 2 and 5 - to Kingston Dodge Chrysler Limited in the net amount of $16,222.27, sales taxes included.

Items 3 and 4 - to Edwards Ford Mercury Sales Limited in the net amount of $39,313.00 (tax exempt price).

- AND -

that the City Treasurer be authorized to pay the accounts for the supply of the vehicles upon receipt of certificate of satisfactory delivery from the Department Heads.

(Alderman Clements Opposed)

3. That, as recommended by the Community Services Committee, an agreement be entered into with Kingston Interval House to contain the following conditions:

a) Payment of a per diem rate by the City of Kingston per person of $7.00 for persons eligible for general welfare assistance.

b) Payment of a maximum amount of $12,000. during the year 1977.

c) Agreement to be for the period July 1st, 1977 to December 31st, 1977;

it being noted that this agreement is subject to the approval of the Ministry of Community and Social Services;

and it being further noted that this program would be reviewed at the end of December, 1977.

4. That, as recommended by the City of Kingston Planning Board, an OHRP (Rental) Loan Approval Committee be established, and that the members of the OHRP Loan Approval Committee, being the NIP Co-Ordinator, City Treasurer, and Vice-Chairman of the Finance Committee, be appointed as members of the OHRP (Rental) Loan Approval Committee.

5. That, as requested by News Director, C.K.W.S. Radio and Television, the City sponsor a luncheon to be held on May 13th, 1977, at the Holiday Inn, during the Regional Radio and Television News Directors Association Convention, at a cost not to exceed $400.00.

6. That, as recommended by the Parks and Recreation Committee, a License Agreement be entered into with Transport Canada to occupy a parcel or tract of land and premises being opposite Farm Lot 24 in Concession 1 and also opposite the Water Front Lot according to Registered Plan No. C48, City of Kingston, County of Frontenac, Ontario, as a site for a waterfront walkway connecting Breakwater Park and Macdonald Park for the sum of $25.00 per annum.

7. That, as recommended by the Parks and Recreation Committee, since Mr. Webb Vivian inadvertently submitted ride rates from the 1974 Conklin Agreement for insertion in the 1977 Agreement he entered into with the City to operate the ride and food concessions at Lake Ontario Park instead of the rates included in the 1976 Conklin, the ride rates in the Vivian Agreement be deleted and that the ride rates that were in effect in 1976 under the terms of the Conklin Agreement be substituted therefor.

Note: The 1974 rates were 20¢ per ticket or a book of 10 tickets for $1.75.
The 1976 rates were 25¢ per ticket or a book of 10 tickets for $2.00

8. That, since Order In Council No. PC 1977-994 dated April 5th, 1977, has been received approving the sale of Parts 1, 2 and 3 on Reference Plan 1361, to the City for extension of part of Lower Union Street for $1.00, authorization be granted to the Mayor and Clerk-Comptroller to execute a Delivery of Possession Certificate of the Minister of Public Works for the 9,660 square feet, more or less, of land to be used for the purpose of extending Lower Union Street to the south; it being noted that the construction of the extension will be at the City's expense, with the City reserving the right to charge Mr. A. Britton Smith his share as the principal benefitting property owner.

9. That, as recommended by the Public Works Committee, $1,300.00 be transferred from the Public Works budget appropriation "Sewer Replacement - Contributions from Current Revenue" to "Maintenance of Class I Sewers" to replace the flat concrete cap on the waterfront retaining wall located between Maitland and Emily Streets; it being understood that if the abutting owners decide they wish something different than a flat cap they will be required to pay the difference in cost.

10. That the following Change Order, which has been approved by the Kingston Public Library Board, be approved:

Change Order No. 15

		ADD	DEDUCT
Finish to Stair No. 3			
Delete tile finish as specified.			$1,877.00
To supply and install Bregham quality Burlington carpet as quoted by Kingston Roofing & Flooring in quota a), dated April 7, 1977.		$2,308.00	
5% mark up to difference in cost 5% x 431		21.55	
Change to flashing detail as sketch dated January 21, 1977		397.90	
As quoted as site meeting of March 2, 1977			
Additional cost of wood blocking & labour -	$289.00		
Labour to install additional angles	90.00		
	$379.00		
5% mark up	18.90		
	$397.90		
TOTAL ADDITION		$2,727.45 $ 850.45	$1,877.00

11. That the following Change Order, which has been approved by the Kingston Public Library Board, be approved:

Change Order No. 16

		ADD	DEDUCT
Addition to Book Drop Shut to Increase bottom to 50"			
As ridalco quotation dated March 24 -	$193.00		
5% mark up	9.65	$ 202.65	
Reinforcing to steel beam at basement of Bishop's House			
As M. Sullivan's quotation dated April 15th, 1977 -	$60.00		
5% mark up	3.00	$ 63.00	
Concrete Reinforcing to existing stone walls of Bishop's House			
As M. Sullivan's quotation dated April 15th, 1977.		$2,726.85	
TOTAL ADDITION		$2,992.50	

12. That, as recommended by the Public Works Committee, since it has been found that a storm sewer not shown in existing records is in place in Palace Road within the limits of the storm sewer construction authorized by By-Law No. 8964, and since it is in good condition and has adequate capacity, By-Law 8964 be amended to revise the description and reduce the cost figures, so that the description of By-Law No. 8964 would read as follows:

> "A By-Law to authorize the construction of a storm sewer in Palace Road from 646 feet ± south of Carruthers Avenue to 38 feet south of Carruthers Avenue including an outlet at the Corporation's expense under the provisions of Section 7 of the Local Improvement Act (Petition)"

and the cost figures be amended to read as follows:

	From	To
Total estimated cost ----------------	$76,500.00	$47,500.00
Anticipated M.T.C. Subsidy -----------	$20,000.00	$20,000.00
Owner's Share ----------------------	$ 2,911.65	$ 1,743.84
Corporation's Share -----------------	$53,588.00	$25,756.16
Debenture Amount	$56,500.00	$27,500.00

13. That the Finance Committee be authorized to advertize for applications for the position of a full time City Solicitor, subject to the following conditions:

    1. The applicant shall be a member of the Ontario Bar Association.
    2. Minimum experience - three years, preferably in the legal department of a municipality or with a law firm that provides legal advice to a municipality.
    3. The salary will be dependent upon qualifications and experience.
    4. The first year of employment will be on a probationary basis.
    5. The Director of Personnel will screen the applicants and refer at least two of the most suitable applicants to the Finance Committee for interviews.
    6. Following the interviews the Finance Committee will recommend to Council the person to be appointed, and following consultation with the Director of Personnel, will recommend to Council whether or not the appointment should be on the basis of an evaluated salary range or by a contract.

14. That, as recommended by the Public Works Committee, an agreement be entered into with the Ministry of Transportation and Communications, in the form to be provided by the Ministry, and that funds in the amount of $3,550.00, be provided for printing the Needs Study Report and employment of temporary staff; M.T.C. Share - $2,662.50, - City's Share - $887.50.

15. That the tender of Mr. Tito Santos, 45 Chestnut Street, in the amount of $15,000.00, for the purchase of the City owned lot on the north side of Weller Avenue, Civic No. 147, be accepted; it being noted that it was the highest of the two tenders received.

Respectfully submitted,

(CHAIRMAN).

UNFINISHED BUSINESS

BY-LAWS

(A) That By-Laws 1 to 7 be given their first and second readings.

(B) That Rule 35 of By-Law No. 1 be suspended for the purpose of giving By-Laws 6 and 7 their third reading.

(C) That By-Laws 6 to 9 be given their third reading.

(1) A By-Law to Amend By-Law No. 4489, "A By-Law to Regulate, Supervise, and Govern the Parking of Vehicles on Parking Lots and to Fix the Rates and Charges for Parking on Such Parking Lots" (Court House Parking Meters).

(FIRST AND SECOND READINGS) (PROPOSED NO. 9021)
Clause 1, Report No. 48, 1977

(2) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of The City of Kingston, Subject to the Provisions of the Highway Traffic Act " (Clause 2, Report No. 48).

(FIRST AND SECOND READINGS) (PROPOSED NO. 9022)
Clause 2, Report No. 48, 1977

(3) A By-Law to Dedicate Certain Land, 4.5 Foot Strip Along the North Side of Bath Road Adjacent to the Kingston Shopping Centre, as Part of Bath Road.

(FIRST AND SECOND READINGS) (PROPOSED NO. 9023)
Clause 7, Report No. 48, 1977

(4) A By-Law to Amend By-Law No. 8499, 'Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston' (Rezone 0.47 Acre East Side Country Club Drive from OS2 Parks, Open Space and Flood Plain (Private Open Space) to A2 Residential (One Family)).

(FIRST AND SECOND READINGS) (PROPOSED NO. 9024)
Clause 6, Report No. 49, 1977

(5) A By-Law to Amend By-Law No. 8964, "A By-Law to Authorize the Construction of a Storm Sewer in Palace Road from Brock Street to 38 Feet South of Carruthers Avenue, Including an Outlet at the Corporation's Expense, Under the Provisions of Section 7 of the Local Improvement Act (Petition)"(Revise description of work, reduce cost and revise title of By-Law).

(FIRST AND SECOND READINGS) (PROPOSED NO. 9025)
Clause 12, Report No. 53, 1977

BY-LAWS (Cont'd)

(6) A By-Law to Authorize the Execution of an Agreement With Her Majesty the Queen as Represented by the Minister of Transport (Waterfront Walkway Connecting Breakwater Park and Macdonnell Park).

(THREE READINGS) (PROPOSED NO. 9026)
Clause 6, Report No. 53, 1977

(7) A By-Law to Confirm the Proceedings of Council at Its Meeting Held on May 9, 1977.

(THREE READINGS) (PROPOSED NO. 9027)
City Council Meeting No. 14

(8) A By-Law to Amend the Official Plan of The City of Kingston Planning Area (Amendment No. 89: Undertaker's Establishment, Clergy and Colborne Streets).

(THIRD READING) (PROPOSED NO. 9015)
Clause 1(A), Report No. 45, 1977

(9) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Rezone 0.3 Acre Located at the Northwest Corner of Clergy and Colborne Streets from A (One and Two Family) Residential to A.130 (One and Two Family) Residential).

(THIRD READING) (PROPOSED NO. 9016)
Clause 1(b), Report No. 45, 1977

MOTIONS

Local Govt.

CITY COUNCIL MEETING NO. 14

The Regular Meeting of City Council was held in the Council Chamber at City Hall on Monday, May 9th, 1977 at 8:02 P.M. His Worship, Mayor Keyes presided.

ROLL CALL

Mayor Keyes, Ald. Allmark, Ald. Clements, Ald. French, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Mackenzie, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb. (14)

PRESENTATIONS

THE HONOURABLE ACHIEVEMENT AWARD WAS PRESENTED TO:

(1) William G. Chapman

(2) Dr. J.J. Deutsch (posthumously)

(3) Leonard Dover

MINUTES

Moved by Ald. McArthur,
Seconded by Ald. Miller,

That the Minutes of City Council Meeting No. 11, held on April 12, 1977, Meeting No. 12, held on April 25, 1977 and Meeting No. 13, held on May 2, 1977, be adopted as printed.

CARRIED

COMMUNICATIONS

Council consented to Communication 261 also being referred to the City of Kingston Planning Board.

Council consented to the addition of Communications 282-302.

Filed

(251) From the Consumers' Association of Canada, Kingston Branch, thanking the members of Council for notice of approval of their grant for 1977.

(252) From Kingston Bus For The Handicapped, thanking the members of Council for notice of approval of their grant for 1977.

(253) Copies of *"Background"* dated April 7, 1977 and April 15, 1977, from The Honourable Darcy McKeough, Treasurer of Ontario.

(Note: Copies have been distributed to all members of Council).

(254) From the Cataraqui Region Conservation Authority, notifying of a General Meeting of the Cataraqui Region Conservation Authority to be held in the Frontenac County Council Chambers, Court House, Kingston, on Wednesday, May 18th, 1977 at 8:00 P.M.

COMMUNICATIONS (Cont'd)

Filed (cont'd)

(255) Minutes of Meeting of Executive of the Cataraqui Region Conservation Authority, held on April 13, 1977.

(256) Minutes of Meeting of the Kingston Tourist & Visitors' Bureau, held on April 20, 1977.

(257) Copy of "Annual Report 1976" from the Central Mortgage and Housing Corporation.

(258) From the Cataraqui Region Conservation Authority, acknowledging receipt of Council's resolution concerning acquisition of property, Auld Subdivision, and notifying they are referring the matter to their executive committee at a meeting to be held May 11, 1977.

(259) From The Honourable Keith Norton, Minister of Community and Social Services, thanking Council for receipt of copies of resolutions endorsed at City Council Meeting No. 11.

Referred to the City of Kingston Planning Board

(260) Invitation to the Annual Meeting of the Little Cataraqui Environment Association, to be held Thursday, May 12, 1977, 7:30 P.M., St. Lawrence College in Rooms S220-221. Guest Speaker: Mr. John Lamoureux - *"The Role and Importance of Marshes in Ecology"*.

Referred to the Selection Committee and to the City of Kingston Planning Board

(261) From the N.I.P. Committee concerning the acquisition of non-conforming uses (N.I.P. Redevelopment Plan), together with interviews and input received from the residents where these non-conforming uses exist, and recommending the acquisition in the following order of priority:

1. 106 Rideau Street
2. 21-25 Ellice Street
3. 410-412 Bagot Street
4. 79 North Street
5. 538-556 Bagot Street

Filed

(262) From Mr. and Mrs. Donald Silver, William Street, expressing thanks to the members of Council for the floral arrangement sent to them on their 50th Wedding Anniversary, and for the Mayor's letter of good wishes.

(263) Copy of *Road Runner* from the Ontario Good Roads Association dated April 1977.

Which Had Been Referred to Finance and Accounts Committee

(264) From The World of One in Seven concerning the cutbacks to the finances of the Social Planning Council and notifying that The World of One in Seven completely support the Social Planning Council's activities and urge more City input for this worthwhile cause.

COMMUNICATIONS (Cont'd)

Which Had Been Referred to Finance and Accounts Committee (Cont'd)

(265) From the News Director, CKWS Radio & Television, requesting a grant of $400.00 from the City to sponsor a luncheon on May 13, 1977, during the Regional Radio and Television News Directors Association Convention at the Holiday Inn.

(266) From the Department of Fisheries and The Environment notifying that the Department of Justice is investigating the Federal ownership in the Portsmouth Olympic Harbour area and that a decision in this regard is not expected prior to six month's time. They also notify that the Department of Public Works have commenced a legal survey of the properties concerned and that it is anticipated that the plan will be ready for inclusion in a lease document within a month's time. In the meantime, they are preparing the approved lease, and upon completion of same will forward it to the City for perusal and execution by the City.

(267) From Public Works Canada copy of Order in Council, No. PC 1977-994, dated April 5, 1977, approving the sale of Parts 1, 2 and 3, Reference Plan 1361 to the City of Kingston for extension of part of Lower Union Street for $1.

(268) From The Honourable Robert Welch, Minister of Culture and Recreation, Ontario, advising that Ontario has been selected as the host Province for the 1981 Canada Summer Games and that formal bids will be solicited in the Fall of 1977 from Municipalities who wish to apply to host the 1981 Games, notice to be given by June 1st, 1977.

(269) From Black, Black, Pedlar & Atkinson, Solicitors for Mrs. Dorothy Geiger who owns property at the foot of Maitland Street directly west of the Kingston Yacht Club, notifying that Mrs. Geiger is prepared to enter into an agreement with the City that the 44 feet on the west side of Maitland Street, not leased by the City to the Kingston Yacht Club,would remain public in order to guarantee access to the water, and requesting repairs to the retaining wall that the City constructed when the intercepter sewer was constructed a number of years ago.

(270) From Beaufort Realties (1964) Inc. concerning their lands forming Part of Lots 15 and 16, Concession 2, City of Kingston, on the north side of Bath Road, west of Queen Mary Road, as follows:

> *"I refer you to the above-captioned lands which our company owns and our letter of March 11, 1977 with respect to same.*
>
> *I hereby wish to advise the City of Kingston that it is not our intention to sell these lands to the City of Kingston any longer.*
>
> *We are preparing a subdivision proposal for these lands for the development of a single family subdivision and will be submitting same to the Planning Committee for their consideration and approval very shortly.*
>
> *I wish to thank you for all the efforts you have made on our behalf."*

(271) From Mr. John L. Smith, Real Estate Broker, re Lot 16, Concession 2, as follows:

> *"I request permission to construct a street on my right of way over lands held by Mississauga Apartments Ltd. with a 68 ft. street entrance onto the PARKWAY giving access to Princess St. and Sherwood Drive. This is the only access to the lands designated B1-110 under by-law 8499."*

COMMUNICATIONS (Cont'd)

Filed

(272) From J. F. Brown, Director, Community Renewal Branch of the Ministry of Housing, Ontario, enclosing Ontario Home Renewal Program - form revisions and amendment to Regulation 688/74, and notifying that the City of Kingston is eligible, under the new regulations for a grant calculated as follows:

No. of Population x $2.27 plus $72,223. =
60,902 x 2.27 plus 72,223. = $210,470.54

(273) Copy of *Great Lakes FOCUS On Water Quality* from the International Joint Commission, Windsor, Ontario, April 1977.

Referred to the Finance and Accounts Committee

(274) From Mr. D. L. Hardtman, City Solicitor, enclosing copy of a letter from Black, Black, Pedlar & Atkinson, Solicitors for Mrs. Dorothy Geiger, suggesting that the amendment to By-Law 8499, rezoning the Kingston Yacht Club property, does not uphold the public's interest and protect public access to the water at the foot of Maitland and Simcoe Streets as was the intention of the motion of Ald. Clements and Ald. Mackenzie, as the exception of the permitted use of the Yacht Club to store boats and equipment across the complete 66' street end would apply over other permitted uses of public docks as set out in the By-Law.

Referred to the Housing Sub-Committee

(275) Copy of Speech for Mr. Jean-Robert Gauthier, M.P., Parliamentary Secretary to Minister of State for Urban Affairs to Canadian Mobile Home Association at the Holiday Inn, Ottawa on April 14, 1977.

Referred to City of Kingston Planning Board

(276) From the Township of Mono, requesting their following resolution be endorsed:

> *"WHEREAS the Regions and Municipalities of Ontario have been asked to comment on "A Policy for Mineral Aggregate Resource Management in Ontario" which is the January 1977 Report of the Ontario Mineral Aggregate Working Party;*
>
> *AND WHEREAS said Working Party has recommended to the Minister of Natural Resources and through him to the Government of Ontario, drastic and fundamental changes in regulatory powers in the Province;*
>
> *AND WHEREAS the said Working Party in its recommendations nos. 27, 28, 29, 30 and 31 requests that "local zoning by-laws cease to apply to the control and location of pits and quarries"; that "The Planning Act be amended to remove municipal power to prohibit pits and quarries" and, similarly, that the Municipal Act should be amended to remove the regulatory powers of municipalities;*
>
> *AND WHEREAS the foregoing recommendations will be replaced by a new Act to be administered by the Ministry of Natural Resources;*

COMMUNICATIONS (Cont'd)

Referred to City of Kingston Planning Board (Cont'd)

(276) (Cont'd)

> *AND WHEREAS such unusual powers are unnecessary because abundant mineral aggregate reserves exist in less socially and environmentally sensitive areas of Ontario, as recognized in the Working Party's Report.*
>
> *THEREFORE, the Municipality of the Township of Mono hereby resolved:*
>
> 1. *THAT it rejects the recommendations of the Working Party Report which reduce or eliminate municipal powers to regulate pits and quarries. Municipalities should have the power under The Planning Act to control the opening of new pits and quarries within their boundaries, and to contain existing pits and quarries within defined boundaries;*
> 2. *THAT this Council unanimously endorses the Working Party's recommendation number 26: "That the Planning Act be amended to define the mining of a pit or quarry as a use of land within the meaning of Section 35(1)1 of The Planning Act";*
> 3. *THAT for the supply of local needs within the smaller municipality and for wayside pits for local road building and maintenance, aggregates may continue to be extracted locally, but the Province should adopt policies which will encourage aggregate mining for the needs of large urban centres to be undertaken in more remote, unpopulated parts of the Province, which have shown to be ecologically suitable.*
> 4. *THAT in recognition of the fact that the present Pits and Quarries Control Act has not been effectively enforced by the Ministry of Natural Resources, particularly with respect to rehabilitation of existing aggregate pits, it is recommended that the Province amend the Act to positively ensure the full rehabilitation of existing pits on a progressive basis, with the costs to be fully borne by the pit owners."*

Filed

(277) From The Honourable W. Darcy McKeough, Treasurer of Ontario, thanking Council for receipt of the resolution concerning OHIP's relocation to Kingston, particularly the resolution urging the government to locate OHIP in Downtown Kingston. He advises the government is seriously examining the feasibility of locating the offices in the central core.

Referred to the Finance and Accounts Committee

(278) From the City of Windsor, requesting their following resolution be endorsed:

> *"That the Province of Ontario BE REQUESTED to reconsider their ruling on the elimination of the exemption of Retail Sales Tax for municipalities regarding equipment used in the process of sewage treatment and disposal and the process of water treatment and electrical distribution equipment;"*

COMMUNICATIONS (Cont'd)

Referred to the Community Services Committee

(279) Copy of *Social Development*, March 1977, from the Canadian Council on Social Development, together with first notice of the 1978 Canadian Conference on Social Development to be held in Vancouver, British Columbia, June 18-22, 1978.

(280) From the City of Cambridge, requesting their following resolution be endorsed:

> *"That Whereas a great number of community projects may be curtailed or postponed due to the current economic climate,*
>
> *And Whereas the Province of Ontario has indicated proceeds from the Provincial Lottery would be directed towards health research and health related environmental projects,*
>
> *And Whereas no guidelines have been announced by the Province of Ontario as to what will constitute health research or health related environmental projects,*
>
> *And Whereas certain community projects might qualify and be proceeded with, through the assistance of funds received from the Provincial Lottery, if guidelines were clarified,*
>
> *Now Therefore Be It Resolved that the Province of Ontario, through the appropriate Ministry, be requested to immediately release guidelines respecting the distribution of Provincial Lottery funds ."*

(281) Copy of memorandum from the Director, Child Welfare Branch, Ministry of Community and Social Services, to Presidents and Directors of all Children's Aid Societies, drawing attention to a Supreme Court of Ontario decision that a Judge of the Juvenile and Family Court does not have the jurisdiction to commit a child under Section 20 of the Juvenile Delinquents Act to a community group home with costs allocated to a municipality and notifying the Ministry is reviewing this decision to assess the potential impact. He further notifies that in the meantime, that Juvenile and Family Court Judges will begin immediately to refer and place more children with Children's Aid Societies and requesting full co-operation with the Judge's requests and that increased costs to Societies will provide a valid basis for the submission of supplementary financial systems when the full cost impact is known.

Filed

(282) **Copy of *"Background"* dated April 22, 1977 from the Honourable Darcy McKeough, Treasurer of Ontario.**

(Note: Copies have been distributed to all members of Council).

Referred to the City of Kingston Planning Board

(283) **From the Cataraqui, Frontenac and St. Lawrence Wards Ratepayer Association enclosing copy of a letter to the Ministry of the Environment which expresses concern of the Association over the preservation of the Great Cataraqui Valley and marshland in the Orchard and River Streets Area, and requesting information as to the extent of the filling that is being permitted by the Ministry of the Environment and further requesting City Council to take immediate action to insure that no land with water or cattails be filled.**

COMMUNICATIONS (Cont'd)

Filed

(284) Notice from the Chief Inquiry Officer that Mr. Bogart W. Trumpour has been appointed to conduct the inquiry concerning the expropriation of 220 Princess Street as requested by the tenants, Mr. and Mrs. Carr, and Notice from Mr. Trumpour confirming his appointment.

(285) From the Honourable Keith C. Norton, Minister of Community and Social Services, approving the appointment of Mr. S. Routbard as Administrator of the Social Services Department for the City of Kingston and wishing Mr. Routbard continuing success in this important position.

(286) Notice of General Meeting of Cataraqui Region Conservation Authority to be held Wednesday, May 18, 1977, 8:00 p.m. at Leeds and Grenville County Council Chambers, Court House, Court House Square, Brockville, Ontario.

(287) From M. H. Moffatt, Regional Director, Small Craft Harbours Branch, Department of Fisheries and the Environment, accepting Council's decision to erect a chain link fence along the east boundary of the Portsmouth Olympic Harbour adjacent to the west wall of the Kingston Penitentiary.

(288) From CN advising that they are willing to make a contribution of $450.00 being half the estimated cost to erect a chain link fence at the south side of the railway right-of-way at the Division Street overpass provided that the city would agree to assume the responsibility of maintaining the new fence.

(289) Copy of letter from the City of Oshawa to the Honourable W.D. McKeough, Treasurer of Ontario and Minister of Economics and Intergovernmental Affairs, endorsing Council's resolution requesting that legislation be initiated to facilitate temporary road closings not exceeding eight weeks for projects not authorized under the Public Transportation and Highway Improvement Act, in a similar manner to that provided in the aforementioned act for certain other road closings.

(290) From the Public Utilities Commission, a copy of the Annual Report of the Public Utilities Commission of the City of Kingston for the year ended December 31, 1976.

(291) From Judge G.M. Thomson, Associate Deputy Minister of the Ministry of Community and Social Services for Children Services, thanking the members of Council for their congratulations contained in a motion passed at City Council Meeting No. 10.

(292) From G.M. Betts, Assistant Director, Institute of Local Government, Queen's University, thanking the City Officials for providing them with our official election returns.

Referred to the Commissioner of Parks and Recreation

(293) From Ed Belfry, Associate Manager, Capital Support Unit, Ministry of Culture and Recreation, acknowledging receipt of application for Wintario Projects Grant for development of tennis court complex.

COMMUNICATIONS (Cont'd)

Referred to the Parks and Recreation Committee

(294) From Mrs. Leslie Wilson, Executive Officer, Ministry of Culture and Recreation, advising application of intent for the Cataraqui Tennis Court appears to meet the requirements of eligibility under The Community Recreation Centres Act and that in consideration of expenditures estimated at $156,000 a grant in the amount of $39,000 may be expected under Section 6 of the Act and is conditional upon meeting the requirements of the legislation. The Grant will be paid from their 1978-79 appropriation provided that there is no significant reduction in that appropriation and will be available after April 1, 1978.

Referred to the Transportation Committee

(295) From G.W. Lloyd, Regional Superintendent, Airways, Transport Canada, concerning Council's resolution passed as Clause 2, Report No. 46, City Council Meeting No. 12, advising that regulations setting mandatory building position and height standards in the vicinity of the airport have not been imposed by Transport Canada, and such controls would be imposed only with the approval and assistance of the City as airport owner.

Which Had Been Referred to the City's Legal Counsel

(296) Notice of Negotiation to the Board of Negotiations and The Corporation of the City of Kingston in the matter of the expropriation of Adrian Cruji's property on Rideau Street.

Referred to the Community Services Committee

(297) From the Ministry of Government Services, Property Management Branch, requesting that the city reconsider its position to withdrawing an order to comply with the Property Standards By-Law 8597 of The Corporation of the City of Kingston dated April 20, 1977 for renovations to be carried out at the Mowatt Division, Psychiatric Hospital, Kingston.

(298) From the Ministry of Treasury, Economics and Intergovernmental Affairs, enclosing a copy of The Municipal Amendment Act, 1977 which was given first reading April 28, 1977.

Referred to the Public Utilities Commission

(299) From the Ministry of Treasury, Economics and Intergovernmental Affairs, enclosing a copy of The Public Utilities Amendment Act, 1977, which was given first reading April 28, 1977.

Referred to the Finance and Accounts Committee

(300) Notice of the Annual Conference of the Association of Municipalities of Ontario, Sunday, August 21 to Wednesday, August 24, 1977 at the Royal York Hotel, Toronto.

COMMUNICATIONS (Cont'd)

Referred to the Finance and Accounts Committee (Cont'd)

(301) From the Ontario Labour Relations Board, Notice that Local 109 has complained that T.J. McKibbin, members of the City Finance Committee, members of City Council and Mayor K.A. Keyes failed to bargain in good faith. This complaint was accepted by the Ontario Labour Relations Board on April 28, 1977 and delivered by Mr. N. Wilson, Labour Relations officer, to the Clerk-Comptroller on May 4, 1977. Copies were referred to Mayor Keyes and Alderman Gerretsen prior to the meeting with Mr. Mancini, mediator on May 5, 1977. The hearing is scheduled in Toronto at the office of the Ontario Labour Relations Board on Wednesday, May 18, 1977 at 9:30 a.m. unless an agreement is reached by May 11, 1977.

Referred to the Parks and Recreation Committee

(302) From Vice-Principal (Services), Queen's University, expressing their support of the proposal of the City of Kingston's Department of Parks, Recreation and Property to establish a Fitness Trail around the Cricket Field and advising they will provide up to a maximum of $3000 towards the capital cost of establishing a Fitness Trail and the exercise stations.

PETITIONS

(1.) Alderman Webb presented the following petition having eleven signatures:

> "We, the undersigned residents oppose the construction of an eight storey unit at Bagot/Ordnance/Rideau Streets.
>
> Reason:
>
> This structure height is not compatible with the surrounding family type buildings."

REFERRED TO THE CITY OF KINGSTON PLANNING BOARD.

(2.) Ald. Miller presented the following petition from 182 students:

> "We strongly object to the banning of skateboards on the streets and sidewalks of Kingston City. If this by-law is passed we insist that:
>
> 1.) roller skates
> 2.) bicycles
> 3.) tricycles
> 4.) mopeds
> 5.) dirt bikes
> 6.) skidoos
> 7.) hula hoops
> 8.) kites
> 9.) skipping ropes
> 10.) frisbees
> 11.) hockey (on roads)
> etc... etc...
>
> Being the younger generation of this city we think that if we can't keep things that we enjoy, you, as the older generation, can't either.
>
> This is a passing fad and the summer is short. We are in Grade Eight and our friend is in Grade Seven. We think that if we can't enjoy things now we may never.
>
> It seems to us that you, the City, are really finding something small to pick on. Why not make places for the "kids" to enjoy this short-lived fad.
>
> We sincerely hope this will enlighten you on a few other fads which are "quoted" to be dangerous to

PETITIONS (Cont'd)

(2.) (Cont'd)

> your health; eg. hula hoops strain back and tummy muscles.
> This is a petition to stop the banning of skateboards on the streets and sidewalks.
> We strongly object to this."

REFERRED TO THE COMMUNITY SERVICES COMMITTEE.

REPORTS

Ald. Gerretsen presented Report No. 48 of the Transportation Committee as follows:

Moved by Ald. Gerretsen,
Seconded by Ald. Clements,

That Report No. 48 of the Transportation Committee be received and adopted clause by clause.

REPORT NO. 48

April 27, 1977

To the Mayor and Aldermen:

The Transportation Committee reports and recommends as follows:

1. That, as recommended by the Administrator:
   a) the City purchase and install 20 double parking meters in the parking lot at the rear of the Court House at a cost of $9,000 (approximately $3,500 per year for three years, including carrying charges) for a trial period of one year.
   b) Meter rate to be 20¢ per hour with a two hour time limit.
   c) A chain fence be installed around the metered area which will use an existing paved driveway presently unused. The monthly parking area will continue to use the existing gate entrance.
   d) The City enforce the parking meters and keep any fine revenue derived therefrom.
   e) Brink's Canada Limited collect the meter money which will be used to defray the City's installation and maintenance costs.
   f) City By-Law Enforcement Officers enforce any illegal parking on the circular driveway in front of the Court House.

It is noted that if the County does not wish to continue the meter parking lot after the one year trial period, the City would use the meters on City streets and/or parking lots and neither party would suffer any major financial loss.

(See following motion of amendment)

Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That clause 1, Report No. 48, be amended by adding subsection (g) as follows:

"(g) Snow removal to be the responsibility of the County."

CARRIED

Clause 1, Report No. 48, as amended, was then considered as follows:

REPORTS (Cont'd)

Report No. 48 - The Transportation Committee (Cont'd)

1. That, as recommended by the Administrator:

    a) the City purchase and install 20 double parking meters in the parking lot at the rear of the court House at a cost of $9,000 (approximately $3,500 per year for three years, including carrying charges) for a trial period of one year.

    b) Meter rate to be 20¢ per hour with a two hour time limit.

    c) A chain fence be installed around the metered area which will use an existing paved driveway presently unused. The monthly parking area will continue to use the existing gate entrance.

    d) The City enforce the parking meters and keep any fine revenue derived therefrom.

    e) Brink's Canada Limited collect the meter money which will be used to defray the City's installation and maintenance costs.

    f) City By-Law Enforcement Officers enforce any illegal parking on the circular driveway in front of the Court House.

    g) Snow removal to be the responsibility of the County.

    It is noted that if the County does not wish to continue the meter parking lot after the one year trial period, the City would use the meters on City streets and/or parking lots and neither party would suffer any major financial loss.

    (See By-Law 1: No. 9021) CARRIED AS AMENDED

. That the City formally apply for a 50% subsidy of a total expenditure of $43,335.00 for traffic signals, location to be determined at a later date.

CARRIED

. That the City of Kingston endorse the following resolution from the City of Guelph:

"That the Ministry of Education and the Ministry of Transportation and Communications be urged to launch a Province-wide Education Programme relating to the use of Pedestrian crossovers."

CARRIED

4. That a two hour parking limit be implemented on the north side of Johnson Street between Barrie and Clergy Streets to be effective from 8:00 a.m. to 6:00 p.m. Monday to Friday inclusive.

(See By-Law 2: No. 9022) CARRIED

May 3, 1977

5. WHEREAS Council had adopted a Planning Board recommendation on December 13, 1976 to permit only one access to Block 'S' with an emergency exit onto the easterly Block 'T-T';

WHEREAS the Province requires that two access points be provided for subdivisions and large area land developments;

WHEREAS the Transportation Committee considers that from a safety and traffic viewpoint, access should be from the two blocks reserved on Van Order Drive to serve Block 'S' some ten years ago in the planning of Calvin Park;

REPORTS (Cont'd)

Report No. 48 - The Transportation Committee (Cont'd)

5. (Cont'd)

WHEREAS at a joint meeting of Planning Board and Transportation Committee February 8, 1977 a compromise solution was agreed upon that two access points must be provided, one to be located on Portsmouth Avenue and the other to be located on Van Order Drive at Block 'T-T' reserved for future road allowance;

WHEREAS Planning Board, on April 5, 1977 rescinded their motion of February 8, 1977;

THAT, the Transportation Committee recommends that the compromise solution be placed before Council and recommends as follows:

"That two access points into the Ontario Housing Corporation development, Bath Road and Portsmouth Avenue (Block 'S') be permitted, one onto Portsmouth Avenue and the other onto Van Order Drive (at the easterly Block 'T-T').

CARRIED 10:4
(See Recorded Vote)

Ald. Webb requested a recorded vote on clause 5 which was as follows:

YEAS: Mayor Keyes, Ald. Allmark, Ald. Clements, Ald. French, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. McArthur, Ald. Miller, Ald. Tarnowecky. (10)

NAYS: Ald. Mackenzie, Ald. Matthews, Ald. Timmins, Ald. Webb. (4)

6. That the additional right turn exit onto Bath Road with an acceleration lane be constructed in front of McDonald's Family Restaurant on a temporary basis, with the following conditions:
   - i) This right turn exit be under surveillance until November 30th, 1977 at which time it would be reassessed.
   - ii) If this exit is successful and the left turn movement continues to be a problem, further consideration be given to closing the left turn exit and possibly closing the existing right turn exit.
   - iii) The proposed exit and required acceleration lane on Bath Road be installed at no cost to the City.

CARRIED

7. That the City of Kingston dedicate, as public roadway, a 4.5 foot strip of land along the north side of Bath Road adjacent to the Kingston Shopping Centre as indicated on Part 8, Plan R.165, Registered as 198344.
(See By-Law 3: No. 9023)

CARRIED

Respectfully submitted,

(SIGNED) *J. P. Gerretsen (Chairman)*
John Clements
T. D. French
Y. Tarnowecky
G. L. Webb

* * *

REPORTS (Cont'd)

Ald. Mackenzie presented Report No. 49 of The City of Kingston Planning Board as follows:

Council consented to the amendment of clause 3, Report No. 49, as follows:

(1) by deleting the figure "$182,706.00" from line 4 and substituting therefor the figure "$210,470.54"; and

(2) by amending the Note to read:

"Note: Grant based on population (60,902) X $2.27 plus $72,223.00 = $210,470.54."

Moved by Ald. Mackenzie,
Seconded by Ald. Clements,

That Report No. 49 of The City of Kingston Planning Board be received and adopted clause by clause.

REPORT NO. 49

April 26, 1977.

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. WHEREAS By-Law No. 8992, "A By-Law to Amend By-Law No. 8499, Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston (Rezone 1.03 Acres East Side of Division Street, north of Weller Avenue from C2.101 to C2 (Arterial) Commercial" has been given three readings by Council and notice has been sent to the affected property owners; and

WHEREAS one letter of objection to this amendment has been received and considered by Planning Board:

RESOLVED that the recommendation approving this zone change, as contained in Clause 1, Report No. 25, approved at the meeting of City Council held on March 14, 1977, be reaffirmed.

CARRIED

2. That, as recommended by the City Treasurer and the Director of Planning and Urban Renewal, application be made to the Ministry of Housing for a grant under the Ontario Home Renewal Program (OHRP - Rental) in the amount of $250,000.00 for the fiscal year of 1977 to 1978 for the purpose of making loans to owners of real property used for residential rental purposes to assist in the repair, rehabilitation and improvement of rental dwelling units, pursuant to the Housing Development Act, all as more particularly set out in the Ontario Home Renewal Program (Rental) Administration Guide.

CARRIED

REPORTS (Cont'd)

Report No. 49 - The City of Kingston Planning Board (Cont'd)

3. That, as recommended by the City Treasurer and the Director of Planning and Urban Renewal, application be made to the Ministry of Housing for a grant under the Ontario Home Renewal Program (OHRP) in the amount of $210,470.54 for the fiscal year of 1977 to 1978 for the purpose of making loans to owners of real property used for residential purposes to assist in the repair, rehabilitation and improvement of dwelling units, pursuant to the Housing Development Act, all as more particularly set out in the Ontario Home Renewal Program Administration Guide.

Note: Grant based on population (60,902) X $2.27 plus $72,223.00 = $210,470.54.

CARRIED AS AMENDED

Ald. Gorham declared a conflict of interest in clause 3 as he is a solicitor for Ontario Housing Corporation

4. WHEREAS Ontario Housing Corporation proposes to provide rental housing accommodation for senior citizens on a geared-to-income basis on a 0.96 acre site having frontage on Bagot, Rideau and Ordnance Streets, such accommodation to comprise 103 one-bedroom units, plus one caretaker's unit;

AND WHEREAS Zoning By-Law No. 8950, now approved by the Ontario Municipal Board, was approved for the specific purpose of allowing such a building;

AND WHEREAS the architectural plans for the building have been considered at a public meeting:

THEREFORE BE IT RESOLVED that, subject to the comments of the Technical Planning Committee, the following plans prepared by MacLennan Associates, Architects, dated April 26, 1977, be approved:

Kingston OH-16 - Perspective;

Sheet 3 - Front Elevation;

Sheet 1 - Site Plan, Scale: 1" = 2-';

AND BE IT FURTHER RESOLVED that the Corporation of the City of Kingston hereby undertakes and agrees to contribute 7½% of any annual loss arising out of the operation of the said senior citizen housing.

REFERRED BACK TO THE FINANCE AND ACCOUNTS COMMITTEE AND TO THE CITY OF KINGSTON PLANNING BOARD
(See following motion of referral)

Moved by Ald. Webb,
Seconded by Ald. McArthur,

That clause 4, Report No. 49, be referred back to the Finance and Accounts Committee and The City of Kingston Planning Board to consider the petition submitted to day and to consider writing down the cost of the building from Municipal Incentive funds.

CARRIED 13:0
(Ald. Gorham abstained from voting)

REPORTS (Cont'd)

Report No. 49 - The City of Kingston Planning Board (Cont'd)

5. WHEREAS Dacon Corporation Limited has filed application to amend Zoning By-Law No. 8499 from OS2 Private Open Space to A2 Residential (one family) for a 0.47 acre parcel of land located on Country Club Drive, 1000'± north of King Street between St. Lawrence College and Cataraqui Golf and Country Club; and

WHEREAS the application abuts the south boundary of Country Club Estates subdivision which contains 89 lots and will have the effect of allowing two additional lots:

THEREFORE BE IT RESOLVED that a by-law be presented to Council to amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" as follows:

> "By amending Zoning Map No. 28 so as to rezone that parcel of land consisting of approximately 0.47 acre, located on the east side of Country Club Drive approximately 1000' north of King Street, as shown on Zoning Map No. 28 which is attached hereto as Schedule "A", from OS2 Parks, Open Space and Flood Plain (Private Open Space) to A2 Residential (one family),"

AND BE IT FURTHER RESOLVED that the amendment to By-Law No. 8499 be conditional upon the applicant entering into an agreement with the City to construct a fence five feet high for a distance of approximately 200 feet on the east side of the Dacon property where it abuts the St. Lawrence College road, construction of the fence to be subject to the satisfaction of the City.

(See By-Law 4: No. 9024) *CARRIED*

6. That Council does hereby certify that By-Law No. 9024 "A By-Law to Amend By-Law No. 8499, 'Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston' (Rezone 0.47 Acre East Side Country Club Drive from OS2 Parks, Open Space and Flood Plain (Private Open Space) to A2 Residential (One Family))", is in conformity with the Official Plan approved and in force in the City of Kingston.

CARRIED

7. WHEREAS the City has been requested to comment on an application by G. Splinter to the Ministry of Housing for draft approval of a plan of subdivision of Block B, Registered Plan 1657; and

WHEREAS examination given by members of the Technical Planning Committee shows the plan to be technically feasible; and

WHEREAS Planning Board is of the opinion that the subdivision layout is appropriate for the neighbourhood and the street townhousing development which is proposed for the site:

THEREFORE BE IT RESOLVED that the Ministry of Housing be notified that the City recommends the proposed subdivision for approval subject to the condition that the applicant enter into an agreement which shall include the following conditions:

(a) that each lot shall have an individual water service to the satisfaction of the Public Utilities Commission;

(b) that electrical distribution shall be underground with the developer providing easements, trenching, backfilling and sand padding, in addition to transformer pads;

(c) that final registration of the plan shall not take place until development control approval has been granted by the City and foundations are in place.

CARRIED

REPORTS (Cont'd)

Report No. 49 - The City of Kingston Planning Board (Cont'd)

8. That the following plans prepared by Primesite Developments for the construction of a one storey, 8063 square foot shopping plaza with five stores, on a 0.76 acre parcel of land at the southeast corner of Counter Street and Aberfoyle Road:

Plan #1 - Site Plan - Scale: 1" = 20' - dated April 12, 1977
Revised April 19, 1977;

Plan #2 - Landscape Plan - Scale: 1" = 20' - dated April 12, 1977
Revised April 19, 1977;

Plan #3 - Elevations - Scale: 1" = 20' - dated April 12, 1977;

Plan #4 - Floor Plan - Scale: 1" = 20' - dated April 12, 1977;

be approved, subject to the applicant, Primesite Developments, entering into a development control agreement, which shall include the following conditions:

(a) the entrance width shall be reduced to a maximum of 25';

(b) to allow for improved access to the loading area, the easterly two parking spaces along the south property boundary shall be relocated to the satisfaction of the City;

(c) a guard rail, low wall or curb stop shall be placed between the parking spaces and the sidewalk at the front of the building so as to prevent automobiles from overhanging the sidewalk;

(d) design and placement of light standards shall be subject to City approval to ensure proper relationship to adjacent residential properties;

(e) roof mounted air conditioning units shall be screened to the satisfaction of the City if, after installation, it is deemed necessary by the City;

(f) construction details of the 4'-6" high masonry wall to be constructed along the property boundary shall be submitted for City approval;

(g) construction of the masonry wall along the east side of Aberfoyle Road and along the south boundary of the site between Aberfoyle Road and a point 25' easterly shall be deleted;

(h) each individual store shall be supplied with its own internal garbage storage facilities;

(i) the garbage enclosure at the southeast corner of the property shall be integrated in design and material with the adjacent masonry wall;

(j) the landscaping details shall be approved by the City and implemented within one year of completion of construction;

(k) development shall be in accordance with the above listed plans.

CARRIED

9. That the Cataraqui Region Conservation Authority be requested to make application to the Lieutenant Governor in Council, pursuant to the provisions of the Conservation Authorities Act, to extend fill regulations from the Great Cataraqui River, on the west bank from Elliot Avenue southerly to Charles Street, thence southeasterly to the eastern end of the Lasalle Causeway, and thence northerly along the eastern City limits to Elliot Avenue, as projected.

CARRIED

REPORTS (Cont'd)

Report No. 49 - The City of Kingston Planning Board (Cont'd)

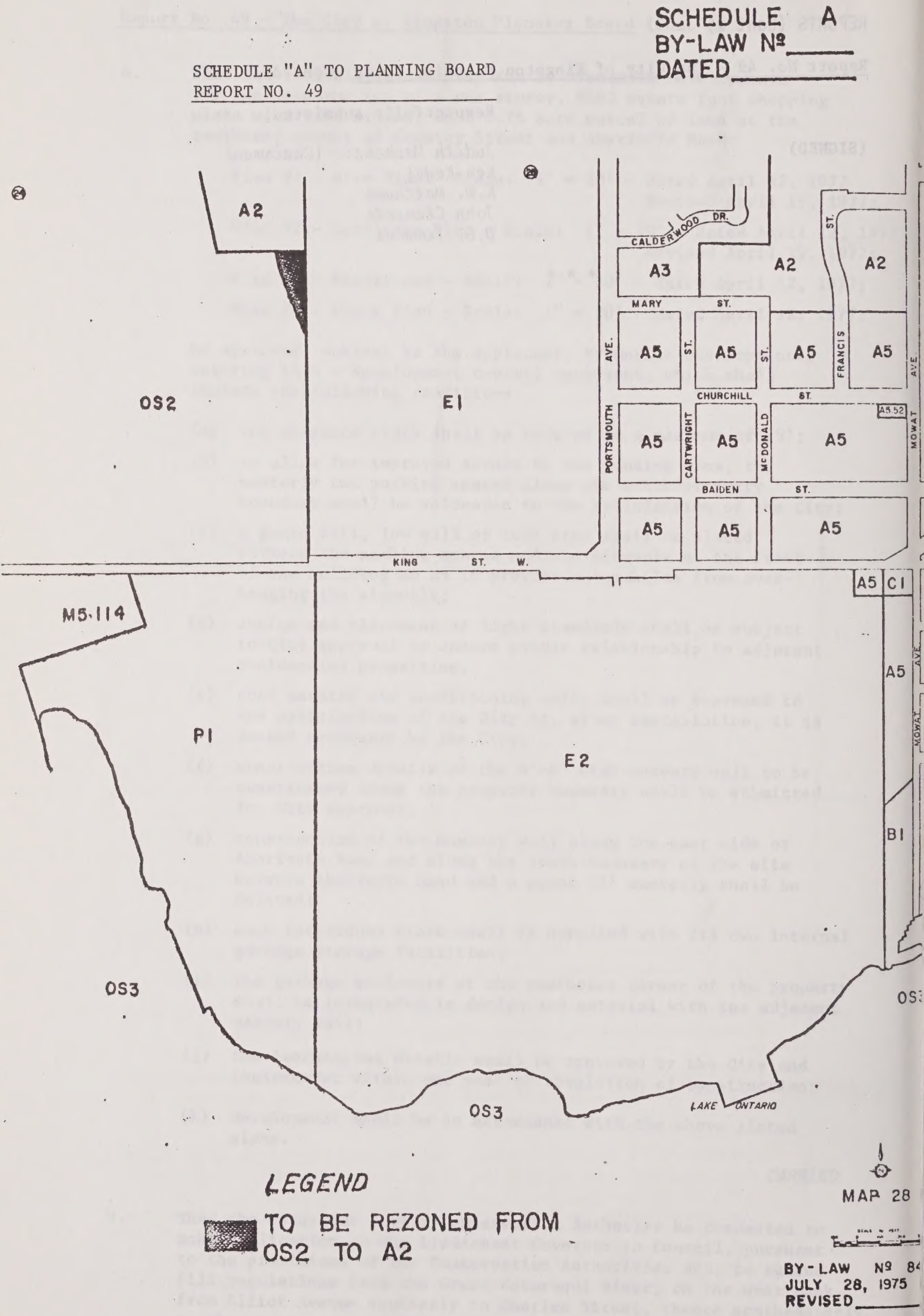
Respectfully submitted,

(SIGNED)

Judith Mackenzie (Chairman)
Ken Keyes
K.W. Matthews
John Clements
D.G. Timmins

* * *

SCHEDULE "A" TO PLANNING BOARD
REPORT NO. 49



REPORTS (Cont'd)

Ald. Miller presented Report No. 50 of the Community Services Committee as follows:

Moved by Ald. Miller,
Seconded by Ald. Tarnowecky,

That Report No. 50 of the Community Services Committee be received and adopted.

April 28, 1977.

REPORT NO. 50

To the Mayor and Aldermen

The Community Services Committee reports and recommends as follows:

1. That the following resolution be approved:

"WHEREAS the Province of Ontario wishes to give the best possible financial service to persons in need; and,

WHEREAS the determination of eligibility is the prime consideration in determining when that financial assistance can be delivered; and,

WHEREAS the evaluation of eligibility information takes place currently at a central location in Ontario; and

WHEREAS the Province of Ontario has undertaken an extensive program of decentralization and has successfully assisted persons in need to gain Provincial Assistance more expeditiously; and

WHEREAS the Province of Ontario, by reputation and practice, continuously examines its delivery processes, with a view to improving the lot of persons in financial distress;

BE IT THEREFORE RESOLVED that the decision as to date and amount of entitlement to an allowance under the Family Benefits Act, be determined at the office of the District Directors.".

And further, that a copy of this resolution be forwarded to the Ontario Municipal Social Services Association 1977 Convention in June, the Association of the Municipalities of Ontario Convention in August, and the Minister of Community and Social Services.

CARRIED 12:2
(See Recorded Vote)

Ald. Gerretsen requested a recorded vote on clause 1 which was as follows:

YEAS: Mayor Keyes, Ald. Allmark, Ald. Clements, Ald. French, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Mackenzie, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Webb. (12)

NAYS: Ald. Tarnowecky, Ald. Timmins. (2)

Respectfully submitted,

(SIGNED)
Lois Miller (Chairman)
Y. Tarnowecky
John Clements
N.E. McArthur

* * *

REPORTS (Cont'd)

Ald. Hawkins presented Report No. 51 of the Public Works Committee as follows:

Moved by Ald. Hawkins,
Seconded by Ald. McArthur,

That Report No. 51 of the Public Works Committee be received and adopted clause by clause.

Report No.51

May 2, 1977

To the Mayor and Aldermen:

The Public Works Committee recommends as follows -

1. That the tender of D.Kennedy, 232 Kingscourt Avenue,
Kingston, for the collection, removal and disposal of garbage from the
Kingston General Hospital, Hotel Dieu Hospital, Ongwanada Hospital and
Rdeaucrest Home for the period June 1, 1977 to May 31, 1980 at a price
of $5400.00 yearly, be accepted being the lowest tender received, subjec
to his equipment being satisfactory to the Commissioner of Works; it bei
understood that if the Kingston Psychiatric Hospital decides to use this
service, D.Kennedy shall be paid the sum of $475.00 per month to collect
the garbage calculated as follows -

Tender Price for garbage collection from Kingston Psychiatric Hospital - $5700.00 ÷ 12 months = $475.00 per month

CARRIED 13:1
(Ald. Webb opposed)

2. That the Minister of Environment be informed that the C
of Kingston's preliminary comment on the recommendations for the Design
and Exemption of Municipal Projects under The Environmental Assessment
contained in the Report of the Municipal Working Group is that the appl
tion will be too broad in that Clause 4 of the Screening Criteria reads
"Might the proposed undertaking have effects on adjacent persons or prop
or persons or property not associated with the undertaking?" thus addir
to the cost of projects and delaying them. An opportunity to comment a
the class environmental assessments are approved and released and afte
Report on the Planning Act Review has been released should be more mear

CARRIED

3. That since the Public Utilities Commission has agreed t
repair their street cuts with cold patch asphalt provided by the City,
private contractors who repair their street cuts with their own cold p
asphalt be allowed a 30% reduction in the Cut Permit cost for asphalt a
concrete until the termination of the Local 109 strike, this being appr
mately the equivalent of giving the Public Utilities Commission cold pa
asphalt, notwithstanding the provisions of By-law No. 10 - A By-law Res
ing Streets - and By-law No.14 - A By-law Relating to Sewers and Drains

CARRIED

REPORTS (Cont'd)

Report No. 51 - Public Works Committee (Cont'd)

Respectfully submitted,

(SIGNED)
J. Hawkins (Chairman)
Neil McArthur
G. Allmark
M.B. Gorham

* * *

Ald. Matthews presented Report No. 52 of the Parks and Recreation Committee as follows:

Council consented to the amendment of clause 2, Report No. 52, by adding thereto the words:

"and it being further understood that the cost of tree removal will be paid for by Mr. F.J. Gurnsey."

Moved by Ald. Matthews,
Seconded by Ald. Gorham,

That Report No. 52 of the Parks and Recreation Committee be received and adopted clause by clause.

Report No. 52

April 28, 1977

the Mayor and Aldermen

The Parks and Recreation Committee recommends as follows -

1. That the free use of Memorial Hall by the Queen's University ral Ensemble on May 4, 1977 for the presentation of a free public concert, confirmed notwithstanding the provisions of By-law No.21 - A By-law ing the Rental to be charged for Memorial Hall, Committee Rooms and ncil Chambers.

CARRIED

2. That, since the siting of the entrance to the F.J.Gurnsey opping Plaza on the south side of Princess St immediately west of rtsmouth Ave was made by the Transportation Committee which requires the moval of one City tree to provide access to the property, the charge that uld normally be made under the provisions of By-law No.7936 - A By-law Establish a Reserve Fund for Replacement of Trees - be waived without ecedent notwithstanding the provison of By-law No.7936, it being underood that Mr. Gurnsey will develop a comprehensive landscaping scheme front of his property similar to that on the opposite side of the street Aunt Lucy's Restaurant and Kingston Dodge-Chrysler Ltd. and it ing further understood that the cost of tree removal will be paid r by F.J. Gurnsey and Clifford C. Gurnsey.

CARRIED AS AMENDED

REPORTS (Cont'd)

Report No. 52 - Parks and Recreation Committee (Cont'd)

3. That By-law NO.19 - A By-law to Provide for the Regulation Use of Parks and Recreational Facilities of the Corporation - be amended t include the following rates for recreational swims and instructional courses at the Artillery Park Pool -

Description	Rate
Recreational Swims Monday through to Sunday 2 pm to 5 pm = 3 hours	Child - 30¢ Adult - 70¢
Recreational Swims 5.30 pm to 7 pm Monday through to Friday = 1½ hours	Child - 25¢ Adult - 35¢ Family - $1.00 maxi
Package of 50 recreational swims	$7.50
Fitness and Recreational Swims Monday through to Friday 12 noon to 1.30 pm = 1½ hours	75¢

Instructional Course Level	Rate
Pre-beginner) Beginner) Survival) Junior) Intermediate) Senior)	$15.00/15 1 hour sessions

Note - A proposed program and pertinent information in regard to the Artill Park and Community Centre pools were circulated to Council Members with the minutes of Meeting No.8 of the Parks and Recreation Committ

CARRIED

4. That the tender of Riddle Haulage to supply 3,000 c.y., more or less, of screened top soil at a price of $2.40 per c.y., be accepted being the lowest tender received, it being understood that the price will be subject to a 20¢ per c.y. increase during restricted half load periods.

CARRIED

Respectfully submitted,

(SIGNED)
K.W. Matthews (Chairman)
M.B. Gorham
G. Allmark
T.D. French
D.G. Timmins

* * *

REPORTS (Cont'd)

Ald. Gerretsen presented Report No. 53 of the Finance and Accounts Committee as follows:

Council consented to the amendment of clause 14, Report No. 53, by inserting after the figure "$887.50", in line 6, the words "to be provided from Finance-Contingencies".
Moved by Ald. Gerretsen,
Seconded by Ald. Matthews,

That Report No. 53 of the Finance and Accounts Committee be received and adopted clause by clause.

REPORT NO. 53

May 4th, 1977

To the Mayor and Members of Council:

The Committee on Finance and Accounts reports and recommends as follows:

1. That, in accordance with the terms of the agreement between the International Hockey Hall of Fame and the City, the proposed renovations to the Hockey Hall of Fame building, as indicated by the display model and sketches as prepared by Mr. Jacques Racette, President of Jamara Incorporated of Ottawa, and shown to the Members of the Finance Committee on May 4th, 1977, be approved; it being noted that no structural alteration is involved.

CARRIED

2. That, as recommended by the Director of Purchasing, the following tenders for the supply of 1977 automotive equipment for the Police Department, Rideaucrest Home, Works Department, Parks Department and Transportation Department, as detailed on Summary of Tender No. 77-18 for Automotive Equipment be accepted, being the lowest cost apportionment received in the tenders:

GROUP A VEHICLES:
to Edwards Ford Mercury Sales Limited in the amount of $37,528.11, sales taxes included.

GROUP B VEHICLES:
Item 1 - to Edwards Ford Mercury Sales Limited in the amount of $17,415.32, sales taxes included.

Items 2 and 5 - to Kingston Dodge Chrysler Limited in the net amount of $16,222.27, sales taxes included.

Items 3 and 4 - to Edwards Ford Mercury Sales Limited in the net amount of $39,313.00 (tax exempt price).

- AND -

that the City Treasurer be authorized to pay the accounts for the supply of the vehicles upon receipt of certificate of satisfactory delivery from the Department Heads.

CARRIED 12:2

(Ald. Clements and Ald. McArthur opposed)

3. That, as recommended by the Community Services Committee, an agreement be entered into with Kingston Interval House to contain the following conditions:

a) Payment of a per diem rate by the City of Kingston per person of $7.00 for persons eligible for general welfare assistance.

b) Payment of a maximum amount of $12,000. during the year 1977.

REPORTS (Cont'd)

Report No. 53 - The Finance and Accounts Committee (Cont'd)

3. (Cont'd)

c) Agreement to be for the period July 1st, 1977 to December 31st, 1977;

it being noted that this agreement is subject to the approval of the Ministry of Community and Social Services;

and it being further noted that this program would be reviewed at the end of December, 1977.

CARRIED

4. That, as recommended by the City of Kingston Planning Board, an OHRP (Rental) Loan Approval Committee be established, and that the members of the OHRP Loan Approval Committee, being the NIP Co-Ordinato City Treasurer, and Vice-Chairman of the Finance Committee, be appoint as members of the OHRP (Rental) Loan Approval Committee.

CARRIED

5. That, as requested by News Director, C.K.W.S. Radio and Television, th City sponsor a luncheon to be held on May 13th, 1977, at the Holiday Inn, during the Regional Radio and Television News Directors Associati Convention, at a cost not to exceed $400.00.

CARRIED

Ald. Tarnowecky withdrew from the meeting at 9:27 P.M.

6. That, as recommended by the Parks and Recreation Committee, a License Agreement be entered into with Transport Canada to occupy a parcel or tract of land and premises being opposite Farm Lot 24 in Concession 1 and also opposite the Water Front Lot according to Registered Plan No. C48, City of Kingston, County of Frontenac, Ontario, as a site for a waterfront walkway connecting Breakwater Park and Macdonald Park for the sum of $25.00 per annum.

(See By-Law 6: No. 9026) *CARRIED 13:0*

7. That, as recommended by the Parks and Recreation Committee, since Mr. Webb Vivian inadvertently submitted ride rates from the 1974 Conklin Agreement for insertion in the 1977 Agreement he entered into with the City to operate the ride and food concessions at Lake Ontario Park instead of the rates included in the 1976 Conklin, the ride rates in the Vivian Agreement be deleted and that the ride rates that were in effect in 1976 under the terms of the Conklin Agreement be substituted therefor.

Note: The 1974 rates were 20¢ per ticket or a book of 10 tickets for $1.75.
The 1976 rates were 25¢ per ticket or a book of 10 tickets for $2.00

CARRIED 13:0

8. That, since Order In Council No. PC 1977-994 dated April 5th, 1977, has been received approving the sale of Parts 1, 2 and 3 on Reference Plan 1361, to the City for extension of part of Lower Union Street for $1.00, authorization be granted to the Mayor and Clerk-Comptrolle to execute a Delivery of Possession Certificate of the Minister of Public Works for the 9,660 square feet, more or less, of land to be used for the purpose of extending Lower Union Street to the south; it being noted that the construction of the extension will be at the City's expense, with the City reserving the right to charge Mr. A. Britton Smith his share as the principal benefiting property owner.

CARRIED 13:0

REPORTS (Cont'd)

Report No. 53 - The Finance and Accounts Committee (Cont'd)

9. That, as recommended by the Public Works Committee, $1,300.00 be transferred from the Public Works budget appropriation "Sewer Replacement - Contributions from Current Revenue" to "Maintenance of Class I Sewers" to replace the flat concrete cap on the waterfront retaining wall located between Maitland and Emily Streets; it being understood that if the abutting owners decide they wish something different than a flat cap they will be required to pay the difference in cost.

CARRIED 13:0

10. That the following Change Order, which has been approved by the Kingston Public Library Board, be approved:

Change Order No. 15

		ADD	DEDUCT
Finish to Stair No. 3			
Delete tile finish as specified.			$1,877.00
To supply and install Bregham quality Burlington carpet as quoted by Kingston Roofing & Flooring in quota a), dated April 7, 1977.		$2,308.00	
5% mark up to difference in cost 5% x 431		21.55	
Change to flashing detail as sketch dated January 21, 1977		397.90	
As quoted as site meeting of March 2, 1977			
Additional cost of wood blocking & labour -	$289.00		
Labour to install additional angles	90.00		
	$379.00		
5% mark up	18.90		
	$397.90		
		$2,727.45	$1,877.00
TOTAL ADDITION		$ 850.45	

CARRIED 13:0

11. That the following Change Order, which has been approved by the Kingston Public Library Board, be approved:

Change Order No. 16

		ADD	DEDUCT
Addition to Book Drop Shut to Increase bottom to 50"			
As ridalco quotation dated March 24 -	$193.00		
5% mark up	9.65	$ 202.65	
Reinforcing to steel beam at basement of Bishop's House			
As M. Sullivan's quotation dated April 15th, 1977 -	$60.00		
5% mark up	3.00	$ 63.00	
Concrete Reinforcing to existing stone walls of Bishop's House			
As M. Sullivan's quotation dated April 15th, 1977.		$2,726.85	
TOTAL ADDITION		$2,992.50	

CARRIED 12:1
(Ald. McArthur opposed)

REPORTS (Cont'd)

Report No. 53 - The Finance and Accounts Committee (Cont'd)

12. That, as recommended by the Public Works Committee, since it has been found that a storm sewer not shown in existing records is in place in Palace Road within the limits of the storm sewer constructio authorized by By-Law No. 8964, and since it is in good condition and has adequate capacity, By-Law 8964 be amended to revise the description and reduce the cost figures, so that the description of By-Law No. 8964 would read as follows:

> "A By-Law to authorize the construction of a storm sewer in Palace Road from 646 feet ± south of Carruthers Avenue to 38 feet south of Carruthers Avenue including an outlet at the Corporation's expense under the provisions of Section 7 of the Local Improvement Act (Petition)"

and the cost figures be amended to read as follows:

	From	To
Total estimated cost ------------------	$76,500.00	$47,500.0
Anticipated M.T.C. Subsidy ------------	$20,000.00	$20,000.0
Owner's Share -------------------------	$ 2,911.65	$ 1,743.8
Corporation's Share -------------------	$53,588.00	$25,756.1
Debenture Amount	$56,500.00	$27,500.0

(See By-Law 5: No 9025) *CARRIED 13:0*

Ald. Tarnowecky returned to the meeting at 9:28 P.M.

13. That the Finance Committee be authorized to advertize for applications for the position of a full time City Solicitor, subject to the followin conditions:

    1. The applicant shall be a member of the Law Society of Upper Canada
    2. Minimum experience - three years, preferably in the legal department of a municipality or with a law firm that provides legal advice to a municipality.
    3. The salary will be dependent upon qualifications and experience.
    4. The first year of employment will be on a probationary basis.
    5. The Director of Personnel will screen the applicants and refer at least two of the most suitable applicants to the Finance Committee for interviews.
    6. Following the interviews the Finance Committee will recommend to Council the person to be appointed, and following consultation with the Director of Personnel, will recommend to Council whether or not the appointment should be on the basis of an evaluated salary range or by a contract.

CARRIED 13:1
(Ald. Webb opposed)

14. That, as recommended by the Public Works Committee, an agreement be entered into with the Ministry of Transportation and Communications, in the form to be provided by the Ministry, and that funds in the amount of $3,550.00, be provided for printing the Needs Study Report and employment of temporary staff; M.T.C. Share - $2,662.50, - City's Share - $887.50, to be provided from Finance-Contingencies.

CARRIED AS AMENDED

- - - - - - - - -

REPORTS (Cont'd)

Report No. 53 - The Finance and Accounts Committee (Cont'd)

15. That the tender of Mr. Tito Santos, 45 Chestnut Street, in the amount of $15,000.00, for the purchase of the City owned lot on the north side of Weller Avenue, Civic No. 147, be accepted; it being noted that it was the higher of the two tenders received.
CARRIED

Respectfully submitted,

(SIGNED)
Ken Keyes (Chairman)
J.P. Gerretsen
J. Hawkins
Judith Mackenzie
K.W. Matthews
Lois Miller

* * *

UNFINISHED BUSINESS

Ald. Webb said that he had received a report that a blind person, while walking on the City's sidewalks, had been knocked to the ground three times by bicyclists riding on the sidewalks. He asked that the Mayor institute an enforcement drive by the Police Department, through the Police Commission, to stop the illegal riding of bicycles on the sidewalks.

Ald. Timmins said that in the minutes of Council Meeting No. 11, on page 220, under Unfinished Business he was reported to have said "that he had noticed compact type cars being driven on the walkways in Calvin Park...". He said that this should be amended to, "had noticed evidence (tire tracks) of compact type cars...".

Ald. Hawkins read a copy of a memorandum from Mayor Keyes, dated May 4, 1977, to all members of Council and Senior Staff attending the Special Closed Meeting of Council held May 2, 1977, expressing concern that the details of the Council vote at this closed meeting had been made known to the news media and were published in the *Whig-Standard* on May 4th. He said that he had been upset about this also as he believed this was a serious offense against the ethics of the members of Council.

Ald. Hawkins said that he had also been concerned about the article printed in the *Whig-Standard* on April 27th headlined "Strike: No End in Sight" which included remarks of Ald. McArthur stating "I don't think Finance Committee has been negotiating in good faith." He said that he had been upset by these remarks as he believed he had carried out his duties as a member of the Committee to the best of his ability.

Ald. Tarnowecky said that the question of the integrity of the members of Council was not only a matter of the article in Tuesday's newspaper, but also included, this year, two other closed meetings that reports had been printed upon. He said that he believed this was sometimes "done for future consideration" and trusted that this was not the case at this time.

Ald. Tarnowecky also said that he believed it was unfair to distribute the letter casting suspicion on all members of Council.

UNFINISHED BUSINESS (Cont'd)

Ald. Webb declared that he had not given information to the news media. He said that he had voted against the Finance Committee recommendation on the agreement with Local 109 C.U.P.E. He also said that he had not appreciated receiving the memorandum from the Mayor.

Mayor Keyes said that in view of the recent information leaks to the news media he believed he would have to be more discreet about bringing confidential items to the attention of the aldermen.

Mayor Keyes said that the City's negotiating team, Alderman John Gerretsen and himself had met with the Union's Negotiating Committee and Mr. Mancini, Provincial Concilliation Officer, on Friday, May 6 from 1:30 P.M. until 2:30 A.M. Saturday, May 7 and had reached an agreement with Local 109, C.U.P.E., which had been ratified this evening, May 9th, at a special closed meeting of Council that had ended just prior to the regular meeting of Council.

He said that the strike was now over, the agreement having also been ratified yesterday by the Union membership, and that the proposal of April 15 and the settlement agreed upon did differ.

Mayor Keyes said that he wished to charge the news media to get their facts straight when reporting.

Mayor Keyes said that the regular collection of garbage would commence tomorrow morning. He noted that the work of the other Departments of Works and Parks had also been disrupted by the strike, but that they too would be back to work and that it would take a week or two to get things smoothed out.

Ald. Timmins said that he believed the distribution of the Mayor's memorandum to the members of Council had not been a necessity. He said that in the past nine years he had seen a number of examples of news reports of the proceedings of closed meetings of the Committee of the Whole of Council.

BY-LAWS

(A) Moved by Ald. Gerretsen,
Seconded by Ald. Hawkins,

That By-Laws 1 to 7 be given their first and second readings.
CARRIED

(B) Moved by Ald. Mackenzie,
Seconded by Ald. Matthews,

That Rule 35 of By-Law No. 1 be suspended for the purpose of giving By-Laws 6 and 7 their third reading.
CARRIED

(C) Moved by Ald. Mackenzie,
Seconded by Ald. Clements,

That By-Law 9 be amended on third reading to provide therein that the maximum total building floor area for all buildings shall be "10,500" square feet instead of "6,600" square feet.
CARRIED

(D) Moved by Ald. Miller,
Seconded by Ald. Gerretsen,

That By-Laws 6 to 9 be given their third reading.

CARRIED

BY-LAWS (Cont'd)

(1) A By-Law to Amend By-Law No. 4489, "A By-Law to Regulate, Supervise, and Govern the Parking of Vehicles on Parking Lots and to Fix the Rates and Charges for Parking on Such Parking Lots" (Court House Parking Meters).

(FIRST AND SECOND READINGS) (PROPOSED NO. 9021)
Clause 1, Report No. 48, 1977

CARRIED

(2) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of The City of Kingston, Subject to the Provisions of the Highway Traffic Act " (Clause 4 , Report No. 48).

(FIRST AND SECOND READINGS) (PROPOSED NO. 9022)
Clause 4, Report No. 48, 1977

CARRIED

(3) A By-Law to Dedicate Certain Land, 4.5 Foot Strip Along the North Side of Bath Road Adjacent to the Kingston Shopping Centre, as Part of Bath Road.

(FIRST AND SECOND READINGS) (PROPOSED NO. 9023)
Clause 7, Report No. 48, 1977

CARRIED

(4) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Rezone 0.47 Acre East Side Country Club Drive from OS2 Parks, Open Space and Flood Plain (Private Open Space) to A2 Residential (One Family)).

(FIRST AND SECOND READINGS) (PROPOSED NO. 9024)
Clause 5, Report No. 49, 1977

CARRIED

(5) A By-Law to Amend By-Law No. 8964, "A By-Law to Authorize the Construction of a Storm Sewer in Palace Road from Brock Street to 38 Feet South of Carruthers Avenue, Including an Outlet at the Corporation's Expense, Under the Provisions of Section 7 of the Local Improvement Act (Petition)"(Revise description of work, reduce cost and revise title of By-Law).

(FIRST AND SECOND READINGS) (PROPOSED NO. 9025)
Clause 12, Report No. 53, 1977

CARRIED

(6) A By-Law to Authorize the Execution of an Agreement With Her Majesty the Queen as Represented by the Minister of Transport (Waterfront Walkway Connecting Breakwater Park and Macdonald Park).

(THREE READINGS) (PROPOSED NO. 9026)
Clause 6, Report No. 53, 1977

CARRIED

(7) A By-Law to Confirm the Proceedings of Council at Its Meeting Held on May 9, 1977.

(THREE READINGS) (PROPOSED NO. 9027)
City Council Meeting No. 14

CARRIED

BY-LAWS (Cont'd)

(8) A By-Law to Amend the Official Plan of The City of Kingston Planning Area (Amendment No. 89: Undertaker's Establishment, Clergy and Colborne Streets).

(THIRD READING) (PROPOSED NO. 9015)
Clause 1(A), Report No. 45, 1977

CARRIED

(9) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Rezone 0.3 Acre Located at the Northwest Corner of Clergy and Colborne Streets from A (One and Two Family) Residential to A.130 (One and Two Family) Residential).

(THIRD READING) (PROPOSED NO. 9016)
Clause 1(B), Report No. 45, 1977
-and-
Motion, Page 277, City Council Meeting No. 14

CARRIED AS AMENDED

MOTIONS

(1) Moved by Ald. Timmins,
Seconded by Ald. Webb,

That Council do now adjourn.

CARRIED

Council adjourned at 9:55 P.M.

(L.S.)

(Signed) T.J. McKibbin,
Clerk-Comptroller

(Signed) Ken Keyes
Mayor

Local Govt.

CITY COUNCIL MEETING NO. 15

The Regular Meeting of City Council will be held in the Council Chamber at City Hall on Tuesday, May 24th, 1977 at 8:00 P.M.

ROLL CALL

PRESENTATION

Presentation of "William G. Hatfield Award" to:

Robert G. Payne,
Superintendant,
Kingston Water Pollution Control System.

"In recognition of outstanding performance in works operation, management and advancement of knowledge in the field of water pollution control."

TABLING OF DOCUMENTS

MINUTES

That the Minutes of City Council Meeting No. 13A, held on May 9, 1977 and Meeting No. 14, held on May 9, 1977, be adopted as printed.

COMMUNICATIONS

To Be Filed

(303) Copy of address by Mr. Jean-Robert Gauthier, M.P., Parliamentary Secretary to Minister of State for Urban Affairs to Ontario Lumber Manufacturers Association, Toronto, April 22, 1977.

(304) Copies of *"Background"* dated April 29, May 5, and May 13, 1977, from The Honourable Darcy McKeough, Treasurer of Ontario.

(Note: Copies have been distributed to all members of Council.)

To Be Referred to the City of Kingston Planning Board

(305) Copy of a letter from Mrs. Beverley Burlock, dated May 9, 1977, expressing concern of the construction of a road, on the "Parkway", to run from Princess Street to Bath Road along the eastern bank of the Little Cataraqui Creek.

(306) Copy of a letter dated May 4, 1977 from Helen Henrickson, President of the Little Cataraqui Environment Association, concerning the filling of flood plans and lands on the Little and Greater Cataraqui Rivers.

(Note: Copies have been distributed to all members of Council.)

COMMUNICATIONS (Cont'd)

To Be Referred to the Finance and Accounts Committee

(307) From the City of London, Ontario, requesting that their following resolution be endorsed:

> *"THAT WHEREAS Section 53(2) of the Local Improvement Act provides that when a work which is undertaken as a local improvement is completed the Council may borrow on the credit of the Corporation at large sums as maybe necessary to repay temporary advances and to defray the c ost of the work undertaken, including the Corporation's portion of the cost, and may issue debentures for the sum so borrowed,*
>
> *AND WHEREAS the inability of a municipality to issue debentures to finance such works prior to their completion necessitates temporary borrowing which results in interest expense to municipalities for such temporary borrowings,*
>
> *AND WHEREAS many municipalities now contract out their local improvement works and thus the cost of the works is known when the contract is accepted,*
>
> *AND WHEREAS many municipalities assess flat rate charges against the benefiting property owners and thus the total final cost has no bearing on the amount to be assessed,*
>
> *THEREFORE BE IT RESOLVED that the Treasurer of Ontario and the Minister of Economics and Intergovernmental Affairs be urged to effect an amendment to the said Section 53(2) of the Local Improvement Act, to permit municipalities to issue debentures to construct local improvements immediately upon a contract to construct such works having been accepted."*

Which Has Been Referred to the Parks and Recreation Committee and to the Public Works and Transportation Committee

(308) From the Hotel Dieu Hospital, requesting approval to allow the steam line from Queen's University heating plant to Hotel Dieu Hospital to pass through City Park.

To Be Referred to the Parks and Recreation Committee

(309) Notice of a public meeting to be held by the Canada-Ontario Rideau-Trent-Severn (CORTS) Advisory Committee at Kemptville in Leslie Hall, St. James Anglican Church Hall, Clothier Street West, on Wednesday, June 1, 1977 from 7:00 P.M. to 9:00 P.M.

To Be Referred to the Community Services Committee

(310) From the Corporation of the Townships of Shackleton & Machin, Fauquier, Ontario requesting that the following resolution be placed before Council for endorsement:

COMMUNICATIONS (Cont'd)

To Be Referred to the Community Services Committee (Cont'd)

(310) (Cont'd)

> *"WHEREAS The Corporation of the Townships of Shackleton and Machin is concerned about the adverse effects of the non-medical use of drugs on the health of the citizens of Canada and in particular on the health of the citizens of the municipality;*
>
> *AND WHEREAS the Corporation of the Townships of Shackleton and Machin wishes to voice its opposition to any attempt to change existing legislation in relation to the non-medical use of drugs;*
>
> *BE IT RESOLVED THAT:*
>
> *The Corporation of the Townships of Shackleton and Machin hereby declare that it opposes any amendments to The Narcotic Control Act R.S.C. 1970, Chapter N-1, as amended, in relation to the legalization of or lessening of criminal sanctions for the possession, trafficking, importing or cultivation of marijuana."*

Which Has Been Referred to the City of Kingston Planning Board

(311) From The Association of Women Electors of Kingston Area, enclosing a copy of a brief to the Kingston Township Planning Board and to the Ministry of Housing, Toronto, re the Cataraqui Mills Proposed Development.

(Note: Copies have been distributed to all members of Council.)

To Be Filed

(312) From The Corporation of the City of Brampton, notifying of their endorsement of Council's resolution (R. 39(1) 77) requesting legislative changes to facilitate temporary road closings.

(313) Invitation from Paul Godin, Chairman, Public Information Committee, Ontario Trails Council, to attend a public meeting with the Ontario Trails Council at 7:30 P.M. on May 31, 1977, in Kingston at St. Lawrence College (corner of King St. West and Portsmouth Ave.) in lecture theatre S-241 for interested persons to present their opinions on all aspects of recreational trails in Ontario.

(314) From the City of St. Catharines notifying of their endorsement of the City's resolution (R.39(1)77) requesting an amendment to The Municipal Act to facilitate temporary street closings.

COMMUNICATIONS (Cont'd)

To Be Referred to the Finance and Accounts Committee

(315) From the City of Burlington requesting that their following resolution be endorsed:

> *"WHEREAS it is a known fact, supported by the data made available by the Province in 1976 to various municipalities in Ontario, that the present assessment values for taxation are seriously out of line with current property values, which has resulted in significant inequities in the tax burden of various classes of taxpayers and in the computation of Provincial grants based upon taxable assessment and upon the apportionment of costs between municipalities, and*
>
> *WHEREAS financial analysis of the Reform Proposals as presented has shown that there will be a favourable effect upon the tax burden of residential ratepayers if they are implemented, and*
>
> *WHEREAS considerable cost has been incurred by the Ministry of Revenue in compiling up-to-date assessment values and preparing for implementation of the change to market value assessment for 1978 taxation, which expense will be largely wasted if implementation of tax reform is further postponed.*
>
> *THAT the Province be urged to proceed with implementation of Market Value Assessment and Tax Reform as outlined in their proposals of April, 1976, to take effect for the municipal taxation year 1978, modified as necessary by the report of the Blair Commission and submissions to be received from municipalities and other interested bodies and individuals, and*
>
> *THAT the Province provide a clear statement of policy on Provincial grants having in mind the effects of the Tax Reform Proposals and the recent reduction in Provincial support for Social Services and that this policy statement be backed up with sufficient detail to allow municipalities to calculate precisely the impact upon their finances of the Tax Reform Proposals and the change in Provincial grants, and*
>
> *THAT municipalities, school boards and other interested bodies as well as individual taxpayers be given the opportunity to comment upon the proposed grant changes, the procedure for dealing with previously exempt property, as well as the final draft of Tax Reform Proposals in the next few months so that reform of the municipal taxation system can take effect on schedule on January 1, 1978."*

To Be Filed

(316) Copy of *"AMO News"* dated May 1977 from the Association of Municipalities of Ontario.

(Note: Copy has been distributed to each member of Council.)

COMMUNICATIONS (Cont'd)

Which Has Been Referred to the City of Kingston Planning Board

(317) From Eileen M. Jones, stating her support of the application for approval of the By-Law No. 8995 respecting the 'Restricted Area (Zoning) By-Law of the City of Kingston' (Rezone 3.4 acres of land and water (Kingston Yacht Club) southerly end of Maitland and Simcoe Streets).

Which Has Been Referred to the Summer Festival Committee and to the Finance and Accounts Committee

(318) From John Roberts, Secretary of State, requesting information of plans for celebration on July 1, Canada Day to be sent to the Chairman, Canada Day Committee, Box 2045, Station D, Ottawa, and wishing a very Happy Birthday Celebration to all members of our community.

To Be Filed

(319) Copy of an Address by Honorable William G. Newman, Minister of Agriculture and Food, delivered at the Bureau of Municipal Research Spring Conference on March 31, 1977.

(320) Invitation from Johnnie Kelly, President, International Hockey Hall of Fame, to a reception on Wednesday, May 25, 1977 at 8:00 P.M. to meet Jacques Racette of Jamara Incorporated of Ottawa, to view the working model, color sketches and plans for refurbishing the Hall of Fame, to talk hockey, sip a beverage and share ideas of raising funds and acquiring materials for this unique concept in preserving hockey history.

(321) From D.K. Aynsley, Registrar, Ontario Labour Relations Board, notification of the Board's decision of "Complaint withdrawn by leave of the Board" between Canadian Union of Public Employees, Local 109 and Corporation of the City of Kingston.

Which Has Been Referred to the Transportation Committee

(322) From the Public Utilities Commission requesting the necessary approval for new bus stops in the Crestview Subdivision Area.

Which Has Been Referred to the Finance and Accounts Committee

(323) Decision of the Ontario Municipal Board approving the application by The Corporation of the City of Kingston for an order approving the purchase of 35.20 acres of land located north of the Bath Road and east of Little Cataraqui Creek, to conserve such low-lying land in its natural state at an estimated cost of $500,000.00 and the borrowing of money therefor, and the issuance of debentures in the sum of $500,000.00 for a term of ten years.

COMMUNICATIONS (Cont'd)

Which Has Been Referred to the City of Kingston Planning Board

(324) Applications from Parkington Corporation of Kingston Limited to amend the Official Plan and Zoning By-Law No. 8499 from Industrial to Residential to permit an extension of the existing mobile home park (Worthington Park) and four residential lots on Weller Avenue.

To Be Filed

(325) From Bill Chapman thanking Mayor Keyes and members of Council for presentation of the Honourable Acheivement Award.

PETITIONS

REPORTS

REPORT NO. 54

May 10, 1977

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. That in connection with the proposed Cataraqui Mills Subdivision, Counter Street, Township of Kingston, City Council include in its comments to the Ministry of Housing its concern with regard to the following:

   a) the effect on City streets, particularly Counter Street, of the increased traffic generated by the proposed subdivision; and

   b) the downstream effects of surface run-off on the Little Cataraqui Creek

   and that the Ministry take these matters into account when considering this subdivision for approval.

2. That Council endorse the following resolution of the Township of Mono, concerning a proposed amendment to the Planning Act:

"WHEREAS the Regions and Municipalities of Ontario have been asked to comment on 'A Policy for Mineral Aggregate Resource Management in Ontario' which is the January 1977 Report of the Ontario Mineral Aggregate Working Party;

AND WHEREAS said Working Party has recommended to the Minister of Natural Resources and through him to the Government of Ontario, drastic and fundamental changes in regulatory powers in the Province;

AND WHEREAS the said Working Party in its recommendations nos. 27, 28, 29, 30 and 31 requests that 'local zoning by-laws cease to apply to the control and location of pits and quarries'; that 'The Planning Act be amended to remove municipal power to prohibit pits and quarries' and similarly, that the Municipal Act should be amended to remove the regulatory powers of municipalities;

AND WHEREAS the foregoing recommendations will be replaced by a new Act to be administered by the Ministry of Natural Resources;

AND WHEREAS such unusual powers are unnecessary because abundant mineral aggregate reserves exist in less socially and environmentally sensitive areas of Ontario, as recognized in the Working Party's Report.

THEREFORE, the Municipality of the Township of Mono hereby resolved:

1. THAT it rejects the recommendations of the Working Party Report which reduce or eliminate municipal powers to regulate pits and quarries. Municipalities should have the power under the Planning Act to control the opening of new pits and quarries within their boundaries, and to contain existing pits and quarries within defined boundaries;

2. THAT this Council unanimously endorses the Working Party's recommendation number 26: "That the Planning Act be amended to define the mining of a pit or quarry as a use of land within the meaning of Section 35(1)1 of The Planning Act';

2. (cont'd)

   3. *THAT for the supply of local needs within the smaller municipality and for wayside pits for local road building and maintenance, aggregates may continue to be extracted locally, but the Province should adopt policies which will encourage aggregate mining for the needs of large urban centres to be undertaken in more remote, unpopulated parts of the Province, which have shown to be ecologically suitable.*

   4. *THAT in recognition of the fact that the present Pits and Quarries Control Act has not been effectively enforced by the Ministry of Natural Resources, particularly with respect to rehabilitation of existing aggregate pits, it is recommended that the Province amend the Act to positively ensure the full rehabilitation of existing pits on a progressive basis, with the costs to be fully borne by the pit owners.*

May 17, 1977

3. That the plan submitted by Mr. Edward Lane for the renovation of an existing two-storey residence at the corner of Montreal Street and Elliott Avenue, and the construction of a 6600 sq. ft. addition for an auto body and paint shop:

Plan 77-14-1/3 - Perspective - Date May 17, 1977

Plan 77-14-3/3 - Elevations & Plot Plan - Scale: 1/8" = 1' and 1" = 40' - Date April, 1977

be approved, subject to the applicant entering into a development control agreement, which shall include the following conditions:

a) *that the development shall be in accordance with the above listed plans as amended hereinafter,*

b) *all vehicular access routes and parking areas shall be paved,*

c) *the property shall be fenced in a manner suitable to the City including a masonry or board fence around any areas which are to be used for outside storage of vehicles or materials;*

d) *any external signs shall be approved by the City,*

e) *any exterior lighting shall be approved by the City,*

f) *a landscaping plan shall be submitted for City approval and shall be implemented within one year of completion of construction,*

g) *the cement block wing be painted to match the house at the time of construction,*

h) *the applicant shall enter into the City's standard development agreement which shall include the above listed conditions.*

4. That the plans submitted by Beaufort Realties (1964) Inc. for construction of an 85 unit hotel at the south-west corner of Princess and Ontario Streets :

   Plan 1 - North & East Elevations - May 17, 1977

   Plan 2 - Ground & Typical Floor Plans - May 17, 1977

   Plan 3 - Basement & Roof Plan - May 17, 1977

   Perspective drawing

   be approved, subject to the applicant entering into a development control agreement which shall include the following conditions:

   a) development shall be in accordance with the above listed plans;

   b) a landscaping plan shall be submitted for City approval and implemented within one year of completion of construction;

   c) any exterior floodlighting shall be subject to City approval,

   d) any exterior signs shall be subject to City approval,

   e) the applicant shall submit a sample of the brick to be used for the exterior of the building, which shall be subject to City approval,

   f) the applicant shall enter into the City's standard development agreement which shall including the foregoing conditions.

5. That Development Control approval for the construction by Ontario Housing Corporation of senior citizens' housing at the corner of Bagot, Ordnance, Rideau and Barrack Streets be subject to the following conditions:

   a) that the design architect be the on-site structural architect, responsible for the full implementation re plans and specifications,

   b) that the project be constructed under the system of tendering, rather than the 'modified tender call' method,

   c) that construction should proceed according to the design plan

   (Note: Planning Board has requested that the Director of Planning and Urban Renewal explore with Ontario Housing Corporation the possibility of senior citizens' apartment-style accommodation, two storeys in height, being constructed along the Rideau Street frontage and a portion of Ordnance Street, thus allowing the height of the main building to be reduced.)

6. WHEREAS the City of Kingston is the owner of a strip of land connecting Glengarry Road and Inverness Crescent; and

   WHEREAS on December 7, 1976 Planning Board recommended and Council subsequently approved the quit claiming of the following properties:

6. (cont'd)

a) the easterly 5' of lot 83, registered plan 1390,
b) the westerly 5' of lot 82, registered plan 1390,
c) the westerly 7.5' of Block 'F', registered plan 1615,
d) the easterly 7.5' of Block 'F', registered plan 1615,

The quit claim shall be subject to the following conditions:

a) that all four lot owners agree to accept ownership of the land,

b) that all existing easement rights of the Public Utilities Commission are retained,

c) that quit claim include a clause prohibiting the lands from being used for tree planting or permanent structures,

and,

WHEREAS the owner of Lot 126 Registered Plan 1615 does not wish to assume ownership of half of the strip unless the easement restrictions are lifted and the owner of Lot 125 has agreed to accept title to the whole strip between Lots 125 and 126 with the restrictions,

THEREFORE BE IT RESOLVED that Block 'F' Registered Plan 1615 be quit claimed to the owner of Lot 125 subject to the following conditions:

a) that all existing easement rights of the Public Utilities Commission are retained,

b) that quit claim include a clause prohibiting the lands from being used for tree planting or permanent structures.

7. WHEREAS the City of Kingston has passed the Neighbourhood Improvement Program in the northern portion of St. Lawrence ward, and

WHEREAS the City of Kingston has expended over 1.3 Million Dollars in improvements in the so-designated area and over One Million Dollars in R.R.A.P. loans to the owners of housing within the so-designated area, and

WHEREAS the City of Kingston pays in 1977 50.6% of the School Tax levied by the Frontenac County Board of Education, and

WHEREAS the Frontenac County Board of Education has accepted funds to improve and has improved with the funds received from the Neighbourhood Improvement Program the outside play yard at Central Public School for the intended purpose of daytime student use and of evening time recreation use by the students and residents in the area, and

WHEREAS the Frontenac County Board of Education has approved the discontinuation of daytime classes at Central Public School and MacDonald Public School as of September, 1977, and

WHEREAS the discontinuation of daytime classes at Central Public School will leave no school open in St. Lawrence ward and will displace 82 pupils, and

7. (cont'd)

WHEREAS the discontinuation of daytime classes at MacDonald Public School, named after Sir John A. MacDonald, will displace 123 pupils, and

WHEREAS the City of Kingston is desirous of a mixture of ages in the downtown wards as shown in the restoration and additions of parks areas in the City of Kingston, and

WHEREAS the City of Kingston is revitalizing the downtown area involving St. Lawrence and Frontenac wards (OHRP loans),

THEREFORE BE IT RESOLVED that Council urge the Frontenac County Board of Education to reconsider its decision to close Central and MacDonald Public Schools.

Respectfully submitted,

CHAIRMAN

May 12, 1977.

REPORT NO. 55

To the Mayor and Aldermen

The Community Services Committee reports and recommends as follows:

1. That, as requested by the Kingston Day Care Incorporated, the City Treasurer be authorized to advance to them, 20% of the unexpended balance of the allocation for the purchase of day care services for 1977, it being understood that their monthly invoice will be reduced by 20% on a pro-rata basis in order to recover the advance.

   (Note: This would involve an expenditure of $5,086.)

2. That since the Senior Citizens Council has been notified by the Companies Division of the Ministry of Consumer and Commercial Relations that in order to be incorporated under the name "Kingston and Area Senior Citizens Council, Incorporated" it is necessary to obtain from the Council of the City of Kingston a resolution consenting to the use of this name;

   THEREFORE BE IT RESOLVED that Council hereby consents to the use of the word "Kingston" in the name "Kingston and Area Senior Citizens Council Incorporated".

3. That, as recommended by the Gasoline Advisory Committee, Schedules "A", "B" and "C" of By-Law No. 1998 (A By-Law to Require the Closing of Gasoline Service Stations During Certain Hours) be amended as follows:

DELETE FROM SCHEDULES A & B FROM SERIES "A"	Jenkin's Shell, 753 King Street West.
	Jeffrey's Texaco, 311 Bath Road.
	Herron's Gulf, 35 Princess St.
DELETE FROM SCHEDULES A & B FROM SERIES "C"	Imken's B.P. 677 Princess St.
	Wilson's Esso, 603 Montreal Street.
DELETE FROM SCHEDULES A & B FROM SERIES "D"	Supertest, 877 Division Street.
	Pioneer Petroleum, 1006 Princess Street.
	S & S Petroleum, 630 Princess Street.
ADD TO SCHEDULES A & B TO SERIES "A"	Rickaby's Shell, 753 King Street West.
	Princess Automotive, 311 Bath Road.
ADD TO SCHEDULES A & B TO SERIES "C"	John Garrah's Shell, 677 Princess Street.
ADD TO SCHEDULES A & B TO SERIES "D"	Brites BP, 877 Division Street.
	Sunoco Self-Serve, 630 Princess Street.

3. (cont'd).

ADD TO SCHEDULES A & B TO SERIES "E"	Pioneer Petroleum, 1006 Princess Street.
	Wilson's Esso, 603 Montreal Street.
	BP Service Station, 1129 Princess Street.

and that the Gasoline Service Stations 1977/8 Schedules, as amended, be approved.
(Note: A copy of the revised schedules will be distributed to the members of Council with the agenda.)

4. That the quotation of R. G. Andress Ltd., in the amount of $1,125.00 for repairs to the 6' x 7' walk-in refrigerator at the Rideaucrest Home be accepted it being noted that the following work would be done:

Pump down the existing refrigeration system and disconnect the refrigeration lines and wires.

Disassemble the box, discarding the floor panels and cleaning the wall panels.

Reassemble the box on a new set of screeds.

Install a new non-slip quarry tile floor with base around the inside perimeter and across the front of the box.

Supply and install a long wiper gasket on the bottom edge of the door to seal it against the floor.

Reinstall the refrigeration system, reconnect, rewire and start-up.

(Note: This work is very urgently required. Blood and liquids have seeped in and accumulated underneath the floor in the refrigerator. The construction of the unit makes it impossible to clean underneath the floor. There are sufficient funds in the budget for this purpose. Only one quotation was requested i.e. R. G. Andress Ltd., the firm that originally installed the refrigerator.)

5. That the firm of Frontenac Elevator Co. Ltd. be engaged to replace the remaining six bearings in the 1966 Wing passenger elevator at Rideaucrest Home at a cost of $1,030 it being noted that this firm has the maintenance contract for the elevators at the Home and there are sufficient funds in the budget for this purpose.

(Note: Two of the eight bearings have already been replaced and it is recommended that the other six bearings also be done to ensure safety of the elevator.)

6. That the following action of the Committee be ratified and confirmed:

"That an extension of the Property Standards Order issued against the Mowat Avenue (Hospital) properties until June 11th 1977 be granted.".

Respectfully submitted,

CHAIRMAN.

Public Works Report No.56

May 16, 1977

To the Mayor and Aldermen

The Public Works Committee recommends as follows -

1. That the sanitary sewer constructed in George St from O'Kill St northerly 286 feet by Taggart Construction Ltd under contract with the Health Sciences Complex, be accepted for future maintenance by the City of Kingston, subject to provision of a one year guaranteed maintenance bond with the period commencing on April 4, 1977 and payment of all outstanding accounts.

2. That By-law No.181 - A By-law to Provide for the Collection, Removal and Disposal of Garbage, ashes and Other Refuse - as amended by By-law No.8801, be further amended by deleting Section 12 and substituting therefor the following -

Garbage, ashes and other refuse set out for collectior shall be placed as close as possible to the edge of the roadway or street curb without obstructing the roadway or sidewalk and if the said garbage, ashes and other refuse is to be placed by a lane, it shall be placed at the edge of the property line abutting the said lane but at no time placed in the said lane.

Respectfully submitted,

Chairman

Parks and Recreation Report No.57

May 12, 1977

To the Mayor and Aldermen

The Parks and Recreation Committee recommends as follows -

1. That notwithstanding the provisions of By-law No. 21 - A By-law Fixing the Rental to be charged for Memorial Hall, Committee Rooms and Council Chamber - Innovations for the Visually Impaired be permitted to use at no charge the Lounge at the Portsmouth Olympice Harbour to hold a meeting on June 22, 1977.

2. That notwithstanding the provisions of By-law No. 21 - A By-law Fixing the Rental to be Charged for Memorial Hall, Committee Rooms and Council Chamber - the Cataraqui, Frontenac and St. Lawrence Wards Ratepayers Association be permitted to use at no charge Memorial Hall on the evening of May 25, 1977 to hold a Meet the Candidates Night.

Respectfully submitted,

Chairman

REPORT NO. 58

May 11, 1977

To the Mayor and Aldermen:

The Transportation Committee reports and recommends as follows:

1. That the City obtain a legal opinion regarding current zoning of the Airport property.

2. That no action be taken regarding the resolution passed by the Downtown Business Association:

   "that the Downtown Business Association request City Council to reinstate the Kingston Parking Authority."

   (Aldermen French & Webb opposed)

3. That it be recommended to Council that Bagot Street between West and Barrie Streets be closed as a public thoroughfare on a one year trial basis with the understanding that the street will be closed in the manner that will permit it to be re-opened on short notice.

   (Aldermen Clements and Webb opposed)

4. That no action be taken on the recommendation that the parking rate on the Robert Bruce Memorial and the Chown Memorial parking lots be increased to 40¢ per hour after the initial two hours at 20¢ per hour. (Aldermen Clements and Tarnowecky oppose

   NOTE: The Administrator had recommended the initial period of two hours whereas the Downtown Business Association recommended that the initial period be three hours before increasing to 40¢ per hour.

5. That the Ukrainian Catholic Parish, 472 Bagot Street be permitted to erect a fence four feet high on City property.

6. That permission be granted for Ongwanada Hospital to erect a sign approximately 6 ft. by 3 ft. and at a height of between 6 ft. and 8 ft. on Park Street with the location being subject to the approval of the Traffic & Streets Department.

7. That Ontario Street from Market to Brock Street be closed on Sunday, June 26th, 1977 from 1:00 p.m. - 2:30 p.m. in order that the Organizing Committee of the Innovation for the Visually Impaired may hold a car rally for the blind in conjunction with the St. Lawrence Auto Club.

8. That, as requested by the Public Utilities Commission, the south and east sides of Compton Street be designated as a 'no parking' area for a temporary period of three months.

9. That approval be given the Public Utilities Commission to relocate the bus stop on Robert Wallace Drive, east side at Mackenzie Crescent to a new location opposite Richardson Drive as outlined in drawing 80-20-250A/30A, dated April 1, 1977 submitted by the Public Utilities Commission.

10. That the account of Cataphote Division, Ferro Corp. in the amount of $2,711.10 for white plastic power used in road marking, it being the lowest tender received, be paid.

    NOTE: Funds had been reserved from the 1976 appropriation.

Respectfully submitted,

CHAIRMAN

REPORT NO. 59

May 18, 1977

To the Mayor and Members of Council:

The Committee on Finance and Accounts reports and recommends as follows:

1. That no action be taken on the following resolution of the City of Windsor:

> "That the Province of Ontario BE REQUESTED to reconsider their ruling on the elimination of the exemption of Retail Sales Tax for municipalities regarding equipment used in the process of sewage treatment and disposal and the process of water treatment and electrical distribution equipment."

2. That a by-law be presented to Council to levy a tax for 1977, in accordance with Section 304 of The Municipal Act on the following Universities, Colleges and Hospitals at a rate of $50.00 for each full-time student enrolled or for each Provincially rated bed, with effect from July 1, 1977:

Queen's University	10,558	Students	@ $50.00	$527,900.00
St. Lawrence College	1,552	Students	@ $50.00	$ 77,600.00
Psychiatric Hospital	482	Beds	@ $50.00	$ 24,100.00
Hotel Dieu Hospital	281	Beds	@ $50.00	$ 14,050.00
Kingston General Hospital	590	Beds	@ $50.00	$ 29,500.00
Ongwanada Hospital	82	Beds	@ $50.00	$ 4,100.00
St. Mary's of the Lake Hospital	210	Beds	@ $50.00	$ 10,500.00
L.S. Penrose Centre	142	Beds	@ $50.00	$ 7,100.00
TOTAL	13,897			$694,850.00

3. That a by-law be presented to Council to amend By-Law No. 4759 "A By-Law Concerning the Board of Management for the Grand Theatre Community Centre" as follows:

   (a) Amend Section 3 of the by-law to delete:

   "and the submission to Council of progress estimates from the Architect recommending any payments due to the contractor or other person".

   Note: This will mean that By-Law No. 1 which authorizes the City Treasurer to make payments on all Contract Progress Estimates in accordance with the terms of the Contract when certified by the Head of the Department concerned, except for payment of any holdback or any subsequent payment under the contract, shall apply.

   (b) Amend Section 4 to provide for the awarding of contracts for the alterations to and refurnishing of the Grand Theatre when funds are in hand or available from grants sufficient to cover all the costs.

   (c) Amend Section 5 to provide all monies raised by public subscription and contributions from all other sources shall be deposited with the City Treasurer of the Corporation of the City of Kingston, and that interest shall be paid on the surplus funds at the current borrowing or interest earned rate of the City of Kingston.

3. cont'd.

(d) Amend Section 6 to provide that no disbursements shall be made by the City Treasurer from these moneys without the approval of Council as provided for in Section 4 or 16 of the by-law.

(e) Amend Section 8 to provide that the first meeting of the Board shall be called by the Secretary of the Board as temporary Chairman.

(f) Amend Section 12 to provide that the Board shall meet at least ten times a year. During the summer months, meetings shall be at the call of the Chairman.

4. That the resignation of Dr. R. J. Ferguson be accepted and the appreciation of Council be conveyed to him for his service on the Kingston Area Planning Board.

5. WHEREAS over two hundred thousand dollars of public funds have already been spent to acquire approximately one acre of land for the construction of 103 senior citizen dwelling units to be located at Bagot/Rideau/Ordnance Streets;

THAT, as recommended by the Planning Board no action be taken on the proposal that a further financial contribution from public funds be made to write down the cost of land acquisition so that the number of units and the height of the proposed building could be further reduced.
(Alderman Matthews Opposed)
Note: See also Planning Board Report No. 54, Clause 5)

6. That a separate bank account called the "S.H. Routbard Renovations Project at J.H. Tett Recreation Centre, In Trust" be opened with the following signing officers:

Mr. S. Routbard, Social Services Administrator.
Mr. D. Fluhrer, Commissioner of Parks and Recreation.
Mr. G. Hinch, Deputy Treasurer.

with any two of the three authorized to sign cheques.

- and further -

That the City Treasurer be authorized to transfer the amount of $14,000. from the Social Services Department Budget - "Contributions from Current Revenue-Capital Expenditures" to the "S.H. Routbard Renovations Project at J.H. Tett Recreation Centre, In Trust" account and to transfer the amount of $10,000. from the Recreation Budget - "Contributions from Revenue Fund" to the "R.H. Routbard Renovations Project at J.H. Tett Recreation Centre, In Trust".

Note: An amount of $29,957. has been approved by the Canada Works Program.

7. That funds be provided, in the amount of $400.00, to permit the installation of a door buzzer and provide for the following alterations to be carried out to the two City Hall ground floor washrooms to meet the needs of the handicapped and the elderly:

1. install a "L" shaped handrail to side and back of toilet.
2. remove door closers.
3. installations of a small buzzer in case of an emergency.
4. lower the soap dispenser and leaver-type handles to the taps.

8. That, as recommended by the Building Committee of the Kingston Public Library Board, the sum of $750.00 be authorized for payment, as a deposit, to the Public Utilities Commission of the City of Kingston for provision and installation of the primary electric service within the walls of the new Public Library, as a charge to "city contingencies of $25,000." in the appropriation for the construction of the library.

9. That the account of the Association of Municipalities of Ontario for 1977 Membership Fee of the City of Kingston, in the amount of $1,285.03, be authorized for payment.

Note: Provision for this expenditure is included in the 1977 budget.

10. That the Mayor and Clerk-Comptroller be authorized to execute the Agreement of Purchase and Sale with Vendor, Samuel N. Kingston and Purchaser, the Corporation of the City of Kingston, for the property fronting on the west side of Wellington Street, known as 225 Wellington Street, and having frontage of 137.5 feet more or less on Wellington Street, and a depth of 134 feet more or less, and the property be purchased for the sum of $175,000.00, and the deposit by the City on May 19th, 1977, of $5,000.00 be ratified, with the Purchaser to pay the balance following approval by Council on May 24, 1977, subject to the following conditions:

    (1) It is agreed and understood that only Council can legally accept the offer and that the offer is extended to May 25, 1977, to give Council time to accept the offer.

    (2) That the City will be given the option of having the first mortgage of approximately $40,000.00 and bearing interest at 7% per annum, due May 1, 1986, assigned to it.

    (3) That the agreement shall be completed by the 31st day of August 1977;

    (4) That other standard conditions, as more particularly set forth on the Agreement dated May 14, 1977, will apply.

11. That, as recommended by the Community Services Committee, the position of Assistant to the Administrator be created in the Social Services Department, and as recommended by the Personnel Director and approved by the City Negotiating Committee, this position be placed in the Salary Group No. 12-8 (1976 salary range - $12,914. - $15,519.)

12. That, as recommended by the Community Services Committee, the salary of the Social Services Administrator be moved from Step 1 of Group No. 18-14 - $19,570. to Step 3 - $21,319.

13. That $500.00 be granted toward the funding of the function "Heritage Day" which would be on a self-sustaining basis for ten days' activity, with this money being provided from the account "K.O.P.E.C. $20,000."

14. That a By-Law be presented to Council to:

    (A) Authorize The Corporation of the City of Kingston to apply to the COUNCIL of the Corporation of the City of Kingston, in accordance with the provisions of The Expropriations Act, for approval to expropriate land required for the Grand Theatre Community Centre, being:

    > The westerly 22.2 feet, more or less, of Lot 7, "Selma" Subdivision of Park Lot 1 (South Side of Princess Street), City of Kingston, County of Frontenac, by 132.62 feet, more or less, (known as Civic No. 222 Princess Street) and Right-of-Way.

    - and -

    (B) Authorize the City Clerk-Comptroller to sign "Application for Approval to Expropriate Land" (Form 1-Reg.285,R.R.O. 1970) dated May 24th, 1977, on behalf of The Corporation of the City of Kingston.

    and further that $43,000.00 be transferred from "Finance Contingencies" to cover the estimated cost of acquiring 222 Princess Street from the Owner.

(Alderman Hawkins Opposed)

Respectfully submitted,

(CHAIRMAN)

THE FINANCE AND ACCOUNTS COMMITTEE MAY PRESENT THE FOLLOWING CLAUSE:

15. That, without prejudice, the sum of $25,000.00 be paid to Mr. Garnet Carr, a tenant at 220 Princess Street, in full settlement for any claim he may have arising from the expropriation of 220 Princess Street, subject to him signing a release satisfactory to the City Solicitor; further that the necessary funds be transferred from "Finance Contingencies".

UNFINISHED BUSINESS

BY-LAWS

(A) That By-Laws 1 to 5 be given their first and second readings.

(B) That Rule 35 of By-Law No. 1 be suspended for the purpose of giving By-Laws 4 and 5 their third reading.

(C) That By-Laws 4 to 11 be given their third reading.

(1) A By-Law to stop up and close Bagot Street from Barrie Street to West Street.

(FIRST AND SECOND READINGS) (PROPOSED NO. 9028)
Clause 3, Report No. 58, 1977

(2) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of the Highway Traffic Act" (Clauses 8 and 9, Report No. 58).

(FIRST AND SECOND READINGS) (PROPOSED NO. 9029)
Clauses 8 and 9, Report No. 58, 1977

(3) A By-Law to Levy a Tax on Universities, Colleges and Hospitals in the City of Kingston for the Year 1977.

(THREE READINGS) (PROPOSED NO. 9030)
Clause 2, Report No. 59, 1977

(4) A By-Law to Authorize The Corporation of the City of Kingston to Apply to the Council of the Corporation of the City of Kingston for Approval to Expropriate the Lands Known as 222 Princess Street.

(THREE READINGS) (PROPOSED NO. 9031)
Clause 14, Report No. 59, 1977

(5) A By-Law to Confirm the Proceedings of Council at Its Meeting Held on May 24, 1977.

(THREE READINGS) (PROPOSED NO. 9032)
City Council Meeting No. 15

(6) A By-Law to Authorize the Construction of an Asphalt Sidewalk on the North Side of Weller Avenue under the Provisions of Section 8 of the Local Improvement Act.

(THIRD READING) (PROPOSED NO. 8870)
Clause 4, Report No. 66, 1976

BY-LAWS (Cont'd)

(7) A By-Law to Authorize the Construction of a Storm Sewer in Unnamed Street from Counter Street to Elliot Avenue and in Counter Street from Unnamed Street Westerly 251 Feet under the Provisions of Section 7 of the Local Improvement Act. (Petition).

(THIRD READING) (PROPOSED NO. 8940)
Clause 4, Report No. 109, 1976

(8) A By-Law to Amend By-Law No. 4489, "A By-Law to Regulate, Supervise and Govern the Parking of Vehicles on Parking Lots and to Fix the Rates and Charges for Parking on Such Parking Lots" (Court House Parking Meters).

(THIRD READING) (PROPOSED NO. 9021)
Clause 1, Report No. 48, 1977

(9) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of the Highway Traffic Act". (Clause 4, Report No. 48)

(THIRD READING) (PROPOSED NO. 9022)
Clause 4, Report No. 48, 1977

(10) A By-Law to Dedicate Certain Land, 4.5 Foot Strip along the North Side of Bath Road adjacent to the Kingston Shopping Centre, as Part of Bath Road.

(THIRD READING) (PROPOSED NO. 9023)
Clause 7, Report No. 48, 1977

(11) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Rezone 0.47 Acre East Side Country Club Drive from OS2 Parks, Open Space and Flood Plain (Private Open Space) to A2 Residential (One Family)).

(THIRD READING) (PROPOSED NO. 9024)
Clause 5, Report No. 49, 1977

MOTIONS

Local Govt.

CITY COUNCIL MEETING NO. 15

The Regular Meeting of City Council was held in the Council Chamber at City Hall on Tuesday, May 24, 1977 at 8:05 P.M. His Worship, Mayor Keyes presided.

ROLL CALL

Mayor Keyes, Ald. Allmark, Ald. Breen, Ald. Clements, Ald. French, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Mackenzie, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb. (15)

PRESENTATION

Presentation of "William G. Hatfield Award" to:

Robert G. Payne,
Superintendant,
Kingston Water Pollution Control System.

"In recognition of outstanding performance in works operation, management and advancement of knowledge in the field of water pollution control."

TABLING OF DOCUMENTS

MINUTES

Moved by Ald. Miller,
Seconded by Ald. Timmins,

That the Minutes of City Council Meeting No. 13A, held on May 9, 1977 and Meeting No. 14, held on May 9, 1977, be adopted as printed.

CARRIED

COMMUNICATIONS

Council consented to the addition of Communications 331-334.

Filed

(303) Copy of address by Mr. Jean-Robert Gauthier, M.P., Parliamentary Secretary to Minister of State for Urban Affairs to Ontario Lumber Manufacturers Association, Toronto, April 22, 1977.

(304) Copies of *"Background"* dated April 29, May 5, and May 13, 1977, from The Honourable Darcy McKeough, Treasurer of Ontario.

(Note: Copies have been distributed to all members of Council.)

COMMUNICATIONS (Cont'd)

Referred to the City of Kingston Planning Board

(305) Copy of a letter from Mrs. Beverley Burlock, dated May 9, 1977, expressing concern of the construction of a road, on the "Parkway" to run from Princess Street to Bath Road along the eastern bank of the Little Cataraqui Creek.

(306) Copy of a letter dated May 4, 1977 from Helen Henrickson, President of the Little Cataraqui Environment Association, concerning the filling of flood plans and lands on the Little and Greater Cataraqui Rivers.

(Note: Copies have been distributed to all members of Council.)

Referred to the Finance and Accounts Committee

(307) From the City of London, Ontario, requesting that their following resolution be endorsed:

> *"THAT WHEREAS Section 53(2) of the Local Improvement Act provides that when a work which is undertaken as a local improvement is completed the Council may borrow on the credit of the Corporation at large sums as maybe necessary to repay temporary advances and to defray the c ost of the work undertaken, including the Corporation's portion of the cost, and may issue debentures for the sum so borrowed,*
>
> *AND WHEREAS the inability of a municipality to issue debentures to finance such works prior to their completion necessitates temporary borrowing which results in interest expense to municipalities for such temporary borrowings,*
>
> *AND WHEREAS many municipalities now contract out their local improvement works and thus the cost of the works is known when the contract is accepted,*
>
> *AND WHEREAS many municipalities assess flat rate charges against the benefiting property owners and thus the total final cost has no bearing on the amount to be assessed,*
>
> *THEREFORE BE IT RESOLVED that the Treasurer of Ontario and the Minister of Economics and Intergovernmental Affairs be urged to effect an amendment to the said Section 53(2) of the Local Improvement Act, to permit municipalities to issue debentures to construct local improvements immediately upon a contract to construct such works having been accepted."*

Which Had Been Referred to the Parks and Recreation Committee and to the Public Works and Transportation Committee

(308) From the Hotel Dieu Hospital, requesting approval to allow the steam line from Queen's University heating plant to Hotel Dieu Hospital to pass through City Park.

COMMUNICATIONS (Cont'd)

Referred to the Parks and Recreation Committee

(309) Notice of a public meeting to be held by the Canada-Ontario Rideau-Trent-Severn (CORTS) Advisory Committee at Kemptville in Leslie Hall, St. James Anglican Church Hall, Clothier Street West, on Wednesday, June 1, 1977 from 7:00 P.M. to 9:00 P.M.

Referred to the Community Services Committee

(310) From the Corporation of the Townships of Shackleton & Machin, Fauquier, Ontario requesting that the following resolution be placed before Council for endorsement:

> *"WHEREAS The Corporation of the Townships of Shackleton and Machin is concerned about the adverse effects of the non-medical use of drugs on the health of the citizens of Canada and in particular on the health of the citizens of the municipality;*
>
> *AND WHEREAS the Corporation of the Townships of Shackleton and Machin wishes to voice its opposition to any attempt to change existing legislation in relation to the non-medical use of drugs;*
>
> *BE IT RESOLVED THAT:*
>
> *The Corporation of the Townships of Shackleton and Machin hereby declare that it opposes any amendments to The Narcotic Control Act R.S.C. 1970, Chapter N-1, as amended, in relation to the legalization of or lessening of criminal sanctions for the possession, trafficking, importing or cultivation of marijuana."*

Which Had Been Referred to the City of Kingston Planning Board

(311) From The Association of Women Electors of Kingston Area, enclosing a copy of a brief to the Kingston Township Planning Board and to the Ministry of Housing, Toronto, re the Cataraqui Mills Proposed Development.

(*Note: Copies have been distributed to all members of Council.*)

Filed

(312) From The Corporation of the City of Brampton, notifying of their endorsement of Council's resolution (R. 39(1) 77) requesting legislative changes to facilitate temporary road closings.

COMMUNICATIONS (Cont'd)

Filed (Cont'd)

(313) Invitation from Paul Godin, Chairman, Public Information Committee, Ontario Trails Council, to attend a public meeting with the Ontario Trails Council at 7:30 P.M. on May 31, 1977, in Kingston at St. Lawrence College (corner of King St. West and Portsmouth Ave.) in lecture theatre S-241 for interested persons to present their opinions on all aspects of recreational trails in Ontario.

(314) From the City of St. Catharines notifying of their endorsement of the City's resolution (R.39(1)77) requesting an amendment to The Municipal Act to facilitate temporary street closings.

Referred to the Finance and Accounts Committee

(315) From the City of Burlington requesting that their following resolution be endorsed:

> *"WHEREAS it is a known fact, supported by the data made available by the Province in 1976 to various municipalities in Ontario, that the present assessment values for taxation are seriously out of line with current property values, which has resulted in significant inequities in the tax burden of various classes of taxpayers and in the computation of Provincial grants based upon taxable assessment and upon the apportionment of costs between municipalities, and*
>
> *WHEREAS financial analysis of the Reform Proposals as presented has shown that there will be a favourable effect upon the tax burden of residential ratepayers if they are implemented, and*
>
> *WHEREAS considerable cost has been incurred by the Ministry of Revenue in compiling up-to-date assessment values and preparing for implementation of the change to market value assessment for 1978 taxation, which expense will be largely wasted if implementation of tax reform is further postponed.*
>
> *THAT the Province be urged to proceed with implementation of Market Value Assessment and Tax Reform as outlined in their proposals of April, 1976, to take effect for the municipal taxation year 1978, modified as necessary by the report of the Blair Commission and submissions to be received from municipalities and other interested bodies and individuals, and*
>
> *THAT the Province provide a clear statement of policy on Provincial grants having in mind the effects of the Tax Reform Proposals and the recent reduction in Provincial support for Social Services and that this policy statement be backed up with sufficient detail to allow municipalities to calculate precisely the impact upon their finances of the Tax Reform Proposals and the change in Provincial grants, and*

COMMUNICATIONS (Cont'd)

Referred to the Finance and Accounts Committee

(315) (Cont'd)

> *THAT municipalities, school boards and other interested bodies as well as individual taxpayers be given the opportunity to comment upon the proposed grant changes, the procedure for dealing with previously exempt property, as well as the final draft of Tax Reform Proposals in the next few months so that reform of the municipal taxation system can take effect on schedule on January 1, 1978."*

Filed

(316) Copy of *"AMO News"* dated May 1977 from the Association of Municipalities of Ontario.

> *(Note: Copy has been distributed to each member of Council.)*

Which Had Been Referred to the City of Kingston Planning Board

(317) From Eileen M. Jones, stating her support of the application for approval of the By-Law No. 8995 respecting the 'Restricted Area (Zoning) By-Law of the City of Kingston' (Rezone 3.4 acres of land and water (Kingston Yacht Club) southerly end of Maitland and Simcoe Streets).

Which Had Been Referred to the Summer Festival Committee and to the Finance and Accounts Committee

(318) From John Roberts, Secretary of State, requesting information of plans for celebration on July 1, Canada Day to be sent to the Chairman, Canada Day Committee, Box 2045, Station D, Ottawa, and wishing a very Happy Birthday Celebration to all members of our community.

Filed

(319) Copy of an Address by Honorable William G. Newman, Minister of Agriculture and Food, delivered at the Bureau of Municipal Research Spring Conference on March 31, 1977.

(320) Invitation from Johnnie Kelly, President, International Hockey Hall of Fame, to a reception on Wednesday, May 25, 1977 at 8:00 P.M. to meet Jacques Racette of Jamara Incorporated of Ottawa, to view the working model, color sketches and plans for refurbishing the Hall of Fame, to talk hockey, sip a beverage and share ideas of raising funds and acquiring materials for this unique concept in preserving hockey history.

COMMUNICATIONS (Cont'd)

Filed (Cont'd)

(321) From D.K. Aynsley, Registrar, Ontario Labour Relations Board, notification of the Board's decision of "Complaint withdrawn by leave of the Board" between Canadian Union of Public Employees, Local 109 and Corporation of the City of Kingston.

Which Had Been Referred to the Transportation Committee

(322) From the Public Utilities Commission requesting the necessary approval for new bus stops in the Crestview Subdivision Area.

Which Had Been Referred to the Finance and Accounts Committee

(323) Decision of the Ontario Municipal Board approving the application by The Corporation of the City of Kingston for an order approving the purchase of 35.20 acres of land located north of the Bath Road and east of Little Cataraqui Creek, to conserve such low-lying land in its natural state at an estimated cost of $500,000.00 and the borrowing of money therefor, and the issuance of debentures in the sum of $500,000.00 for a term of ten years.

Which Had Been Referred to the City of Kingston Planning Board

(324) Applications from Parkington Corporation of Kingston Limited to amend the Official Plan and Zoning By-Law No. 8499 from Industrial to Residential to permit an extension of the existing mobile home park (Worthington Park) and four residential lots on Weller Avenue.

Filed

(325) From Bill Chapman thanking Mayor Keyes and members of Council for presentation of the Honourable Acheivement Award.

(326) From The Corporation of the Town of Oakville endorsing, on May 16, 1977, the resolution circulated by the City of Kingston about street closings.

Referred to the Finance and Accounts Committee

(327) From the City of Orillia the following resolution:

> "*WHEREAS the bulk of municipal taxes is made up of levies for the Boards of Education, and Police Departments over which local or regional councils have virtually no control and the system of arbitration respecting police commissions and their budgets appears to be biased against the municipalities;*

COMMUNICATIONS (Cont'd)

Referred to the Finance and Accounts Committee (Cont'd)

(327) (Cont'd)

> *AND WHEREAS the continual escalation in demands upon tax rates is entirely unrealistic as compared with the incomes of the average rate-payer who must foot the bills no matter how extravagant these respective budgets may be.*
>
> *THEREFORE BE IT RESOLVED that the leaders and candidates of the parties in the forthcoming provincial election be made aware of our concern and their views requested as to their respective positions on this vitally important issue and their intention, if any to amend the discriminatory legislation which, in effect, places municipalities at the mercy of extortionate demands rapidly becoming beyond the ability of the average tax-payer to meet except at great distress and financial sacrifice;*
>
> *AND THAT this resolution be circulated to all major municipalities in the Province urging their endorsement and active support."*

Referred to the Housing Sub-Committee

(328) From the Ministry of Housing, a copy of Volume 21, Number 3, March/April 1977 *"Housing Ontario"*.

Referred to The City of Kingston Planning Board and to the Transportation Committee

(329) From D.A. Vallis, Manager Ottawa Operations, De Leuw Cather, re: Housing - Neighbourhood Improvement Program - Traffic Study:

"We received your letter of April 15, 1977 advising that a majority of the members of City Council at a meeting on April 12, 1977 were of the view that the proposed transfer of funds to and the authorization to complete the Neighbourhood Improvement Program Traffic Study should not be approved.

Your letter also conveyed the expressed disappointment that, to date, no report had been received.

Last week we met with Mayor Keyes, briefly, and subsequently with the Chairman of the Transportation Committee, the Planning Board and the NIP Area Committee together with Mr. Muirhead and reviewed in detail the conduct of the study to date. We believe that we satisfactorily clarified the various aspects of the study including the reason why Council has not yet received a report. It was always intended that the final report would be submitted to Council upon completion of the study.

COMMUNICATIONS (Cont'd)

Referred to The City of Kingston Planning Board and to the Transportation Committee (Cont'd)

(329) (Cont'd)

> *The information which will be included in our report and which was originally intended to be contained in the interim report was intended for use by the NIP Committee and technical staff, as it was only background information to be used in the development of proposals which would be described fully in the final report. It was necessary to present the information intended for the preliminary report verbally and with specially prepared charts during the early part of the study due to the prevailing circumstances at that stage of the study.*
>
> *We feel that it is unfortunate that the study is to be submitted in a somewhat incomplete form at this stage since the plans for the area as they have been developed to date represent considerable effort on the part of all who participated. We believe that the plans are basically sound and with a relatively small amount of additional work, many of the concerns which were raised at the public meeting in January could be resolved.*
>
> *We have, during the study, provided services in excess of those for which we contracted and while we will fulfill our commitment to submit a report on the study which will include the relevant material which has been developed to this point in time, we are very disappointed that the authorization to complete the program has not been granted by your Council."*

Referred to the Public Works Committee

(330) From the Ministry of Transportation & Communications, a revision of the amount of special assistance for which a municipality is eligible for 1977 winter maintenance:

> *"I have now agreed to allow the allocation of funds to municipalities whose winter expenditures exceeded the highest recorded over the last four years by more than the actual percentage increase in their 1977 maintenance allocation relative to 1976. That is, if a municipality received an increase of 14% in 1977 over their 1976 maintenance allocation they would qualify for a supplementary allocation if their 1977 winter expenditures exceeded the highest of all previous four years by more than 14%. Those municipalities that exceeded their previous highest winter expenditure by more than 20% will still qualify for additional allocation as previously announced. As before, all amounts are expressed in 1976 dollars in making this determination and the winter maintenance is defined as the period from January 1, 1977 to the end of the winter seas*

COMMUNICATIONS (Cont'd)

Filed

(331) From Lily Inglis, Architect, opposing the proposed closing of Bagot Street.

(332) From Karen McNaughton, 164 Inverness Crescent, concerning the acquisition of a strip of city-owned land connecting Glengarry Road and Inverness Crescent, Block F, Plan 1615.

(333) Minutes of the Queen's University Liaison Committee, held on Thursday, May 5, 1977 at 4:00 P.M.

(334) From Senior Citizens' Council of Kingston and Area supporting the proposed Senior Citizens' housing complex on Bagot and Barrack Streets.

PETITIONS

REPORTS

Ald. Mackenzie presented Report No. 54 of the City of Kingston Planning Board as follows:

Council consented to amend Clause 5 to include Clause 4 of Report No. 49, which had been referred back.

Council consented to amend Clause 6 by approving (a) and (b) and, by withdrawing (c) and (d) and reference to Block 'F', Plan 1615 and referring them back to the City of Kingston Planning Board.

Moved by Ald. Mackenzie,
Seconded by Ald. Clements,

That Report No. 54 of the City of Kingston Planning Board be received and adopted clause by clause.

REPORT NO. 54

May 10, 1977

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. That in connection with the proposed Cataraqui Mills Subdivision, Counter Street, Township of Kingston, City Council include in its comments to the Ministry of Housing its concern with regard to the following:

REPORTS (Cont'd)

Report No. 54 - The City of Kingston Planning Board (Cont'd)

1. (Cont'd)

a) the effect on City streets, particularly Counter Street, of the increased traffic generated by the proposed subdivision; and

b) the downstream effects of surface run-off on the Little Cataraqui Creek

and that the Ministry take these matters into account when considering this subdivision for approval.

CARRIED

2. That Council endorse the following resolution of the Township of Mono, concerning a proposed amendment to the Planning Act:

"WHEREAS the Regions and Municipalities of Ontario have been asked to comment on 'A Policy for Mineral Aggregate Resource Management in Ontario' which is the January 1977 Report of the Ontario Mineral Aggregate Working Party;

AND WHEREAS said Working Party has recommended to the Minister of Natural Resources and through him to the Government of Ontario, drastic and fundamental changes in regulatory powers in the Province;

AND WHEREAS the said Working Party in its recommendations nos. 27, 28, 29, 30 and 31 requests that 'local zoning by-laws cease to apply to the control and location of pits and quarries'; that 'The Planning Act be amended to remove municipal power to prohibit pits and quarries' and similarly, that the Municipal Act should be amended to remove the regulatory powers of municipalities;

AND WHEREAS the foregoing recommendations will be replaced by a new Act to be administered by the Ministry of Natural Resources;

AND WHEREAS such unusual powers are unnecessary because abundant mineral aggregate reserves exist in less socially and environmentally sensitive areas of Ontario, as recognized in the Working Party's Report.

THEREFORE, the Municipality of the Township of Mono hereby resolved:

1. THAT it rejects the recommendations of the Working Party Report which reduce or eliminate municipal powers to regulate pits and quarries. Municipalities should have the power under the Planning Act to control the opening of new pits and quarries within their boundaries, and to contain existing pits and quarries within defined boundaries;

2. THAT this Council unanimously endorses the Working Party's recommendation number 26: "That the Planning Act be amended to define the mining of a pit or quarry as a use of land within the meaning of Section 35(1)1 of The Planning Act';

REPORTS (Cont'd)

Report No. 54 - The City of Kingston Planning Board (Cont'd)

2. (Cont'd)

3. *THAT for the supply of local needs within the smaller municipality and for wayside pits for local road building and maintenance, aggregates may continue to be extracted locally, but the Province should adopt policies which will encourage aggregate mining for the needs of large urban centres to be undertaken in more remote, unpopulated parts of the Province, which have shown to be ecologically suitable.*

4. *THAT in recognition of the fact that the present Pits and Quarries Control Act has not been effectively enforced by the Ministry of Natural Resources, particularly with respect to rehabilitation of existing aggregate pits, it is recommended that the Province amend the Act to positively ensure the full rehabilitation of existing pits on a progressive basis, with the costs to be fully borne by the pit owners.*

CARRIED

May 17, 1977

3. That the plan submitted by Mr. Edward Lane for the renovation of an existing two-storey residence at the corner of Montreal Street and Elliott Avenue, and the construction of a 6600 sq. ft. addition for an auto body and paint shop:

Plan 77-14-1/3 - Perspective - Date May 17, 1977

Plan 77-14-3/3 - Elevations & Plot Plan - Scale: 1/8" = 1' and 1" = 40' - Date April, 1977

be approved, subject to the applicant entering into a development control agreement, which shall include the following conditions:

a) *that the development shall be in accordance with the above listed plans as amended hereinafter,*

b) *all vehicular access routes and parking areas shall be paved,*

c) *the property shall be fenced in a manner suitable to the City including a masonry or board fence around any areas which are to be used for outside storage of vehicles or materials;*

d) *any external signs shall be approved by the City,*

e) *any exterior lighting shall be approved by the City,*

f) *a landscaping plan shall be submitted for City approval and shall be implemented within one year of completion of construction,*

g) *the cement block wing be painted to match the house at the time of construction,*

REPORTS (Cont'd)

Report No. 54 - The City of Kingston Planning Board (Cont'd)

3. (Cont'd)

h) *the applicant shall enter into the City's standard development agreement which shall include the above listed conditions.*

CARRIED

4. That the plans submitted by Beaufort Realties (1964) Inc. for construction of an 85 unit hotel at the south-west corner of Princess and Ontario Streets :

Plan 1 - North & East Elevations - May 17, 1977

Plan 2 - Ground & Typical Floor Plans - May 17, 1977

Plan 3 - Basement & Roof Plan - May 17, 1977

Perspective drawing

be approved, subject to the applicant entering into a development control agreement which shall include the following conditions:

a) *development shall be in accordance with the above listed plans;*

b) *a landscaping plan shall be submitted for City approval and implemented within one year of completion of construction;*

c) *any exterior floodlighting shall be subject to City approval,*

d) *any exterior signs shall be subject to City approval,*

e) *the applicant shall submit a sample of the brick to be used for the exterior of the building, which shall be subject to City approval,*

f) *the applicant shall enter into the City's standard development agreement which shall including the foregoing conditions.*

CARRIED
(Ald. Webb opposed)

5. As amended, to include Clause 4, Report 49:

WHEREAS Ontario Housing Corporation proposes to provid
rental housing accommodation for senior citizens on a
geared-to-income basis on a 0.96 acre site having fron
on Bagot, Rideau and Ordnance Streets, such accommodati
to comprise 103 one-bedroom units, plus one caretaker'
unit;

AND WHEREAS Zoning By-Law No. 8950, now approved by the
Ontario Municipal Board, was approved for the specific
purpose of allowing such a building;

AND WHEREAS the architectural plans for the building ha
been considered at a public meeting:

REPORTS (Cont'd)

Report No. 54 - The City of Kingston Planning Board (Cont'd)

5. (Cont'd)

THEREFORE BE IT RESOLVED that, subject to the comments of the Technical Planning Committee, the following plans prepared by the MacLennan Associates, Architects, dated April 26, 1977, be approved:

Kingston OH-16 - Perspective;

Sheet 3 - Front Elevation;

Sheet 1 - Site Plan, Scale : 1" = 2-';

AND BE IT FURTHER RESOLVED that the Corporation of the City of Kingston hereby undertakes and agrees to contribute 7½% of any annual loss arising out of the operation of the said senior citizen housing

Further that development control approval be subject to the following conditions:

a) that the design architect be the on-site structural architect, responsible for the full implementation re plans and specifications,

b) that the project be constructed under the system of tendering, rather than the 'modified tender call' method,

c) that construction should proceed according to the design plan

CARRIED AS AMENDED

6. WHEREAS the City of Kingston is the owner of a strip of land connecting Glengarry Road and Inverness Crescent; and

WHEREAS on December 7, 1976 Planning Board recommended and Council subsequently approved the quit claiming of the following properties:

a) the easterly 5' of lot 83, registered plan 1390,

b) the westerly 5' of lot 82, registered plan 1390,

The quit claim shall be subject to the following conditions:

a) that all four lot owners agree to accept ownership of the land,

b) that all existing easement rights of the Public Utilities Commission are retained,

c) that quit claim include a clause prohibiting the lands from being used for tree planting or permanent structures,

REPORTS (Cont'd)

Report No. 54 - The City of Kingston Planning Board (Cont'd)

6. (Cont'd)

and,

WHEREAS the owner of Lot 126 Registered Plan 1615 does not wish to assume ownership of half of the strip unless the easement restrictions are lifted and the owner of Lot 125 has agreed to accept title to the whole strip between Lots 125 and 126 with the restrictions

CARRIED AS AMENDED

7. WHEREAS the City of Kingston has passed the Neighbourhood Improvement Program in the northern portion of St. Lawrence ward, and

WHEREAS the City of Kingston has expended over 1.3 Million Dollars in improvements in the so-designated area and over One Million Dollars in R.R.A.P. loans to the owners of housing within the so-designated area, and

WHEREAS the City of Kingston pays in 1977 50.6% of the School Tax levied by the Frontenac County Board of Education, and

WHEREAS the Frontenac County Board of Education has accepted funds to improve and has improved with the funds received from the Neighbourhood Improvement Program the outside play yard at Central Public School for the intended purpose of daytime student use and of evening time recreation use by the students and residents in the area, and

WHEREAS the Frontenac County Board of Education has approved the discontinuation of daytime classes at Central Public School and MacDonald Public School as of September, 1977, and

WHEREAS the discontinuation of daytime classes at Central Public School will leave no public school open in St. Lawrence ward and will displace 82 pupils, and

WHEREAS the discontinuation of daytime classes at MacDonald Public School, named after Sir John A. MacDonald, will displace 123 pupils, and

WHEREAS the City of Kingston is desirous of a mixture of ages in the downtown wards as shown in the restoration and additio of parks areas in the City of Kingston, and

WHEREAS the City of Kingston is revitalizing the downtown are involving St. Lawrence and Frontenac wards (OHRP loans),

THEREFORE BE IT RESOLVED that Council urge the Frontenac County Board of Education to reconsider its decision to close Central and MacDonald Public Schools.

CARRIED
(See Recorded Vote)

Ald. Gorham requested a recorded vote on Clause 7 which was as follows:

YEAS: Mayor Keyes, Ald. Allmark, Ald. Breen, Ald. Clements, Ald. French, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Mackenzie, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb. (15)

NAYS: (0)

REPORTS (Cont'd)

Report No. 54 - The City of Kingston Planning Board (Cont'd)

Respectfully submitted,

(SIGNED)

Judith Mackenzie (Chairman)
Ken Keyes
K.W. Matthews
John Clements
D.G. Timmins

* * *

Ald. Miller presented Report No. 55 of the Community Services Committee as follows:

Moved by Ald. Miller,
Seconded by Ald. Tarnowecky,

That Report No. 55 of the Community Services Committee be received and adopted clause by clause.

May 12, 1977.

REPORT NO. 55

To the Mayor and Aldermen

The Community Services Committee reports and recommends as follows:

1. That, as requested by the Kingston Day Care Incorporated, the City Treasurer be authorized to advance to them, 20% of the unexpended balance of the allocation for the purchase of day care services for 1977, it being understood that their monthly invoice will be reduced by 20% on a pro-rata basis in order to recover the advance.

(Note: This would involve an expenditure of $5,086.)

CARRIED

2. That since the Senior Citizens Council has been notified by the Companies Division of the Ministry of Consumer and Commercial Relations that in order to be incorporated under the name "Kingston and Area Senior Citizens Council, Incorporated" it is necessary to obtain from the Council of the City of Kingston a resolution consenting to the use of this name;

THEREFORE BE IT RESOLVED that Council hereby consents to the use of the word "Kingston" in the name "Kingston and Area Senior Citizens Council Incorporated".

CARRIED

3. That, as recommended by the Gasoline Advisory Committee, Schedules "A", "B" and "C" of By-Law No. 1998 (A By-Law to Require the Closing of Gasoline Service Stations During Certain Hours) be amended as follows:

DELETE FROM SCHEDULES A & B FROM SERIES "A"	Jenkin's Shell, 753 King Street West.
	Jeffrey's Texaco, 311 Bath Road.

REPORTS (Cont'd)

Report No. 55 - The Community Services Committee (Cont'd)

3. (Cont'd)

DELETE FROM SCHEDULES A & B FROM SERIES "C"	Herron's Gulf, 35 Princess St. Imken's B.P., 677 Princess St. Wilson's Esso, 603 Montreal Street.
DELETE FROM SCHEDULES A & B FROM SERIES "D"	Supertest, 877 Division Street. Pioneer Petroleum, 1006 Princess Street. S & S Petroleum, 630 Princess Street.
ADD TO SCHEDULES A & B TO SERIES "A"	Rickaby's Shell, 753 King Street West. Princess Automotive, 311 Bath Road.
ADD TO SCHEDULES A & B TO SERIES "C"	John Garrah's Shell, (new owner) 677 Princess Street.
ADD TO SCHEDULES A & B TO SERIES "D"	Brites BP, 877 Division Street. Sunoco Self-Serve, 630 Princess Street.
ADD TO SCHEDULES A & B TO SERIES "E"	Pioneer Petroleum, 1006 Princess Street. Wilson's Esso, 603 Montreal Street. BP Service Station, 1129 Princess Street.

and that the Gasoline Service Stations 1977/8 Schedules, as amended, be approved.
(Note: A copy of the revised schedules will be distributed to the members of Council with the agenda.)

CARRIED

4. That the quotation of R. G. Andress Ltd., in the amount of $1,125.00 for repairs to the 6' x 7' walk-in refrigerator at the Rideaucrest Home be accepted it being noted that the following work would be done:

Pump down the existing refrigeration system and disconnect the refrigeration lines and wires.

Disassemble the box, discarding the floor panels and cleaning the wall panels.

Reassemble the box on a new set of screeds.

Install a new non-slip quarry tile floor with base around the inside perimeter and across the front of the box.

REPORTS (Cont'd)

Report No. 55 - The Community Services Committee (Cont'd)

4. (Cont'd)

Supply and install a long wiper gasket on the bottom edge of the door to seal it against the floor.

Reinstall the refrigeration system, reconnect, rewire and start-up.

(Note: This work is very urgently required. Blood and liquids have seeped in and accumulated underneath the floor in the refrigerator. The construction of the unit makes it impossible to clean underneath the floor. There are sufficient funds in the budget for this purpose. Only one quotation was requested i.e. R. G. Andress Ltd., the firm that originally installed the refrigerator.)

CARRIED

5. That the firm of Frontenac Elevator Co. Ltd. be engaged to replace the remaining six bearings in the 1966 Wing passenger elevator at Rideaucrest Home at a cost of $1,030 it being noted that this firm has the maintenance contract for the elevators at the Home and there are sufficient funds in the budget for this purpose.

(Note: Two of the eight bearings have already been replaced and it is recommended that the other six bearings also be done to ensure safety of the elevator.)

CARRIED

6. That the following action of the Committee be ratified and confirmed:

"That an extension of the Property Standards Order issued against the Mowat Avenue (Hospital) properties until June 11th 1977 be granted.".

CARRIED

Respectfully submitted,

(SIGNED)

Lois Miller (Chairman)
Y. Tarnowecky
B. Breen
John Clements
N.E. McArthur

* * *

Ald. Hawkins presented Report No. 56 of the Public Works Committee as follows:

Moved by Ald. Hawkins,
Seconded by Ald. McArthur,

That Report No. 56 of the Public Works Committee be received and adopted clause by clause.

Report No.56

May 16, 1977

To the Mayor and Aldermen

The Public Works Committee recommends as follows -

REPORTS (Cont'd)

Report No. 56 - The Public Works Committee (Cont'd)

1. That the sanitary sewer constructed in George St from O'Kill St northerly 286 feet by Taggart Construction Ltd under contract with the Health Sciences Complex, be accepted for future maintenance by the City of Kingston, subject to provision of a one year guaranteed maintenance bond with the period commencing on April 4, 1977 and payment of all outstanding accounts.

CARRIED

2. That By-law No.181 - A By-law to Provide for the Collection, Removal and Disposal of Garbage, ashes and Other Refuse - as amended by By-law No.8801, be further amended by deleting Section 12 and substituting therefor the following -

Garbage, ashes and other refuse set out for collectio shall be placed as close as possible to the edge of the roadway or street curb without obstructing the roadway or sidewalk and if the said garbage, ashes and other refuse is to be placed by a lane, it shall be placed at the edge of the property line abutting the said lane but at no time placed in the said lane.

CARRIED

Respectfully submitted,

(SIGNED)

J. Hawkins (Chairman)
Neil McArthur
G. Allmark
B. Breen
M.B. Gorham

* * *

Ald. Matthews presented Report No. 57 of the Parks and Recreation Committee as follows:

Moved by Ald. Matthews,
Seconded by Ald. Gorham,

That Report No. 57 of the Parks and Recreation Committee be received and adopted clause by clause.

Report No.57

May 12, 1977

To the Mayor and Aldermen

The Parks and Recreation Committee recommends as follows -

1. That notwithstanding the provisions of By-law No. 21 - A By-law Fixing the Rental to be charged for Memorial Hall, Committee Rooms and Council Chamber - Innovations for the Visually Impaired be permitted to use at no charge the Lounge at the Portsmouth Olympice Harbour to hold a meeting on June 22, 1977.

CARRIED

REPORTS (Cont'd)

Report No. 57 - The Parks and Recreation Committee (Cont'd)

2. That notwithstanding the provisions of By-law No. 21 - A By-law Fixing the Rental to be Charged for Memorial Hall, Committee Rooms and Council Chamber - the Cataraqui, Frontenac and St. Lawrence Wards Ratepayers Association be permitted to use at no charge Memorial Hall on the evening of May 25, 1977 to hold a Meet the Candidates Night.

CARRIED

Respectfully submitted,

(SIGNED)

K.W. Matthews (Chairman)
M.B. Gorham
G. Allmark
T.D. French
D.G. Timmins

* * *

Ald. Gerretsen presented Report No. 58 of the Transportation Committee as follows:

Moved by Ald. Gerretsen,
Seconded by Ald. French,

That Report No. 58 of the Transportation Committee be received and adopted clause by clause.

REPORT NO. 58

May 11, 1977

To the Mayor and Aldermen:

The Transportation Committee reports and recommends as follows:

1. That the City obtain a legal opinion regarding current zoning of the Airport property.

DELETED

2. That no action be taken regarding the resolution passed by the Downtown Business Association:

> *"that the Downtown Business Association request City Council to reinstate the Kingston Parking Authority."*

(Ald. French, Timmins & Webb opposed)

CARRIED

3. That it be recommended to Council that Bagot Street between West and Barrie Streets be closed as a public thoroughfare on a one year trial basis with the understanding that the street will be closed in the manner that will permit it to be re-opened on short notice.

(Aldermen Clements and Webb opposed)

CARRIED 9:6
(See Recorded Vote)

REPORTS (Cont'd)

Report No. 58 - The Transportation Committee (Cont'd)

3. (Cont'd)

YEAS: Ald. Allmark, Ald. Breen, Ald. French, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Matthews, Ald. Tarnowecky, Ald. Timmins. (9)

NAYS: Mayor Keyes, Ald. Clements, Ald. Mackenzie, Ald. McArthur, Ald. Miller, Ald. Webb. (6)

4. That no action be taken on the recommendation that the parking rate on the Robert Bruce Memorial and the Chown Memorial parking lots be increased to 40¢ per hour after the initial two hours at 20¢ per hour. (Aldermen Clements and Tarnowecky opp

NOTE: The Administrator had recommended the initial period of tw hours whereas the Downtown Business Association recommende that the initial period be three hours before increasing t 40¢ per hour.

CARRIED

5. That the Ukrainian Catholic Parish, 472 Bagot Street be permitted to erect a chain-link fence located within one foot inside the sidewalk and four feet high on City property.

CARRIED AS AMENDED

6. That permission be granted for Ongwanada Hospital to erect a sign approximately 6 ft. by 3 ft. and at a height of between 6 ft. and 8 ft. on Park Street with the location being subject tc the approval of the Traffic & Streets Department.

CARRIED

7. That Ontario Street from Market to Brock Street be closed on Sunday, June 26th, 1977 from 1:00 p.m. - 2:30 p.m. in order that the Organizing Committee of the Innovation for the Visually Impaired may hold a car rally for the blind in conjunction with the St. Lawrence Auto Club.

CARRIED

8. That, as requested by the Public Utilities Commission, the south and east sides of Compton Street be designated as a 'no parking' area for a temporary period of three months.

CARRIED

9. That approval be given the Public Utilities Commission to relocat the bus stop on Robert Wallace Drive, east side at Mackenzie Crescent to a new location opposite Richardson Drive as outlined drawing 80-20-250A/30A, dated April 1, 1977 submitted by the Public Utilities Commission.

CARRIED

10. That the account of Cataphote Division, Ferro Corp. in the amount of $2,711.10 for white plastic power used in road marking, it bei the lowest tender received, be paid.

NOTE: Funds had been reserved from the 1976 appropriation.

CARRIED

Respectfully submitted,

(SIGNED)

J.P. Gerretsen (Chairman)
John Clements
T.D. French
Y. Tarnowecky
G.L. Webb

* * *

REPORTS (Cont'd)

Ald. Gerretsen presented Report No. 59 of the Finance and Accounts Committee as follows:

Council consented to the presentation of Clause 15 and to the addition of Clause 16.

Moved by Ald. Gerretsen,
Seconded by Ald. Miller,

That Report No. 59 of the Finance and Accounts Committee be received and adopted clause by clause.

REPORT NO. 59

May 18, 1977

To the Mayor and Members of Council:

The Committee on Finance and Accounts reports and recommends as follows:

1. That no action be taken on the following resolution of the City of Windsor:

> "That the Province of Ontario BE REQUESTED to reconsider their ruling on the elimination of the exemption of Retail Sales Tax for municipalities regarding equipment used in the process of sewage treatment and disposal and the process of water treatment and electrical distribution equipment."

CARRIED

2. That a by-law be presented to Council to levy a tax for 1977, in accordance with Section 304 of The Municipal Act on the following Universities, Colleges and Hospitals at a rate of $50.00 for each full-time student enrolled or for each Provincially rated bed, with effect from July 1, 1977:

Queen's University	10,558 Students	@ $50.00	$527,900.00
St. Lawrence College	1,552 Students	@ $50.00	$ 77,600.00
Psychiatric Hospital	482 Beds	@ $50.00	$ 24,100.00
Hotel Dieu Hospital	281 Beds	@ $50.00	$ 14,050.00
Kingston General Hospital	590 Beds	@ $50.00	$ 29,500.00
Ongwanada Hospital	82 Beds	@ $50.00	$ 4,100.00
St. Mary's of the Lake Hospital	210 Beds	@ $50.00	$ 10,500.00
L.S. Penrose Centre	142 Beds	@ $50.00	$ 7,100.00
TOTAL	13,897		$694,850.00

CARRIED

3. That a by-law be presented to Council to amend By-Law No. 4759 "A By-Law Concerning the Board of Management for the Grand Theatre Community Centre" as follows:

REPORTS (Cont'd)

Report No. 59 - The Finance and Accounts Committee (Cont'd)

3. (Cont'd)

(a) Amend Section 3 of the by-law to delete:

"and the submission to Council of progress estimates from the Architect recommending any payments due to the contractor or other person".

Note: This will mean that By-Law No. 1 which authorizes the City Treasurer to make payments on all Contract Progress Estimates in accordance with the terms of the Contract when certified by the Head of the Department concerned, except for payment of any holdback or any subsequent payment under the contract, shall apply.

(b) Amend Section 4 to provide for the awarding of contracts for the alterations to and refurnishing of the Grand Theatre when funds are in hand or available from grants sufficient to cover all the costs.

(c) Amend Section 5 to provide all monies raised by public subscription and contributions from all other sources shall be deposited with the City Treasurer of the Corporation of the City of Kingston, and that interest shall be paid on the surplus funds at the current borrowing or interest earned rate of the City of Kingston.

(d) Amend Section 6 to provide that no disbursements shall be made by the City Treasurer from these moneys without the approval of Council as provided for in Section 4 or 16 of the by-law.

(e) Amend Section 8 to provide that the first meeting of the Board shall be called by the Secretary of the Board as temporary Chairman.

(f) Amend Section 12 to provide that the Board shall meet at least ten times a year. During the summer months, meetings shall be at the call of the Chairman.

CARRIED

4. That the resignation of Dr. R. J. Ferguson be accepted and the appreciation of Council be conveyed to him for his service on the Kingston Area Planning Board.

CARRIED

5. WHEREAS over two hundred thousand dollars of public funds have already been spent to acquire approximately one acre of land for the construction of 103 senior citizen dwelling units to be located at Bagot/Rideau/Ordnanc Streets;

THAT, as recommended by the Planning Board no action be taken on the proposal that a further financial contribution from public funds be made to write down the cost of land acquisition so that the number of units and the height of the proposed building could be further reduced.

(Alderman Matthews Opposed)

Note: See also Planning Board Report No. 54, Clause 5)

CARRIED

6. That a separate bank account called the "S.H. Routbard Renovations Project at J.H. Tett Recreation Centre, In Trust" be opened with the following signing officers:

Mr. S. Routbard, Social Services Administrator.
Mr. D. Fluhrer, Commissioner of Parks and Recreation.
Mr. G. Hinch, Deputy Treasurer.

with any two of the three authorized to sign cheques.

- and further -

REPORTS (Cont'd)

Report No. 59 - The Finance and Accounts Committee (Cont'd)

6. (Cont'd)

That the City Treasurer be authorized to transfer the amount of $14,000. from the Social Services Department Budget - "Contributions from Current Revenue-Capital Expenditures" to the "S.H. Routbard Renovations Project at J.H. Tett Recreation Centre, In Trust" account and to transfer the amount of $10,000. from the Recreation Budget - "Contributions from Revenue Fund" to the "R.H. Routbard Renovations Project at J.H. Tett Recreation Centre, In Trust".

Note: An amount of $29,957. has been approved by the Canada Works Program.

CARRIED

7. That funds be provided, in the amount of $400.00, to permit the installatio of a door buzzer and provide for the following alterations to be carried out to the two City Hall ground floor washrooms to meet the needs of the handicapped and the elderly:

1. install a "L" shaped handrail to side and back of toilet.
2. remove door closers.
3. installations of a small buzzer in case of an emergency.
4. lower the soap dispenser and leaver-type handles to the taps.

CARRIED

8. That, as recommended by the Building Committee of the Kingston Public Library Board, the sum of $750.00 be authorized for payment, as a deposit, to the Public Utilities Commission of the City of Kingston for provision and installation of the primary electric service within the walls of the new Public Library, as a charge to "city contingencies of $25,000." in the appropriation for the construction of the library.

CARRIED

9. That the account of the Association of Municipalities of Ontario for 1977 Membership Fee of the City of Kingston, in the amount of $1,285.03, be authorized for payment.

Note: Provision for this expenditure is included in the 1977 budget.

CARRIED

10. That the Mayor and Clerk-Comptroller be authorized to execute the Agreement of Purchase and Sale with Vendor, Samuel N. Kingston and Purchaser, the Corporation of the City of Kingston, for the property fronting on the west side of Wellington Street, known as 225 Wellington Street, and having frontage of 137.5 feet more or less on Wellington Street and a depth of 134 feet more or less, and the property be purchased for the sum of $175,000.00, and the deposit by the City on May 19th, 1977, of $5,000.00 be ratified, with the Purchaser to pay the balance following approval by Council on May 24, 1977, subject to the following conditions:

(1) It is agreed and understood that only Council can legally accept the offer and that the offer is extended to May 25, 1977, to give Council time to accept the offer.

(2) That the City will be given the option of having the first mortgage of approximately $40,000.00 and bearing interest at 7% per annum, due May 1, 1986, assigned to it.

(3) That the agreement shall be completed by the 31st day of August 1977;

(4) That other standard conditions, as more particularly set forth on the Agreement dated May 14, 1977, will apply.

CARRIED

REPORTS (Cont'd)

Report No. 59 - The Finance and Accounts Committee (Cont'd)

11. That, as recommended by the Community Services Committee, the position of Assistant to the Administrator be created in the Social Services Department, and as recommended by the Personnel Director and approved by the City Negotiating Committee, this position be placed in the Salary Group No. 12-8 (1976 salary range - $12,914. - $15,519.)

CARRIED

12. That, as recommended by the Community Services Committee, the salary of the Social Services Administrator be moved from Step 1 of Group No. 18-14 - $19,570. to Step 3 - $21,319.

CARRIED

13. That $500.00 be granted toward the funding of the function "Heritage Day" which would be on a self-sustaining basis for ten days' activity, with this money being provided from the account "K.O.P.E.C. $20,000."

CARRIED

14. That a By-Law be presented to Council to:

(A) Authorize The Corporation of the City of Kingston to apply to the COUNCIL of the Corporation of the City of Kingston, in accordance with the provisions of The Expropriations Act, for approval to expropriate land required for the Grand Theatre Community Centre, being:

The westerly 22.2 feet, more or less, of Lot 7, "Selma" Subdivision of Park Lot 1 (South Side of Princess Street), City of Kingston, County of Frontenac, by 132.62 feet, more or less, (known as Civic No. 222 Princess Street) and Right-of-Way.

- and -

(B) Authorize the City Clerk-Comptroller to sign "Application for Approval to Expropriate Land" (Form 1-Reg.285,R.R.O. 1970) dated May 24th, 1977, on behalf of The Corporation of the City of Kingston.

and further that $43,000.00 be transferred from "Finance Contingencies" to cover the estimated cost of acquiring 222 Princess Street from the Owner.

(Alderman Hawkins Opposed)

CARRIED

15. That, without prejudice, the sum of $25,000.00 be paid to Mr. Garnet Carr, a tenant at 220 Princess Street, in full settlement for any claim he may have arising from the expropriation of 220 Princess Street, subject to him signing a release satisfactory to the City Solicitor; further that the necessary funds be transferred from "Finance Contingencies".

CARRIED
(Ald. Hawkins opposed)

May 4, 1977

16. That the position of a full-time-on-site Airport Supervisor be approved with a salary range of $16,000. - $21,000. and that the top three applicants to be considered be referred to the Transportation Committee for final selection.

CARRIED

REPORTS (Cont'd)

Report No. 59 - The Finance and Accounts Committee (Cont'd)

Respectfully submitted,

(SIGNED)

Ken Keyes (Chairman)
J.P. Gerretsen
J. Hawkins
Judith Mackenzie
K.W. Matthews
Lois Miller

* * *

UNFINISHED BUSINESS

Mayor Keyes reminded the members of Council of the Festival of Learning being sponsored by St. Lawrence College, Tuesday, May 24 to Saturday, May 28, 1977. He said that the members of Council would enjoy the Festival Concert that was to be played in Memorial Hall on Thursday at 8:30 P.M. The Vimy Band would be presenting the concert. Another feature of the Festival of Learning was the continuous display of forty-three of Karsh's most famous photographic prints including portraits of Churchill, Hemingway, Einstein, in the College Art Gallery on display daily.

Mayor Keyes said that acting Mayor Ken Keyes from Gananoque had visited the City today.

In response to a question from Ald. Webb, Mayor Keyes said that the publication that was interested in using a photograph of the City Hall should, as a matter of courtesy, request permission of the City. Permission would not be refused.

Mayor Keyes said that he was actively following up the signing of the agreement by Mr. Al Morrison and his company, so that construction would get going in the near future. The company should be incorporated by the end of the week.

Mayor Keyes requested Ald. Gerretsen and Mr. K. Linseman, Administrator of Traffic and Streets, to look for an alternative parking site when the Confederation Parking Lot was no longer available.

Ald. Gerretsen said that there was considerable criticism of the lack of parking being provided in the downtown area by proposed new developments. This was unfair as it was not practical to require parking in the Zoning By-Law with very little vacant land and the price of land so high. It was in a developer's own interest to provide some parking. If he did not do this his business would suffer.

Ald. Gerretsen said that the reference to the Auld Subdivision in a recent newspaper article was misleading. There had been a meeting with the people in the area to discuss the various alternative courses of action. More information was needed before a decision could be made. There was no easy answer to the problem. Another meeting should be held when further information is available.

Ald. Mackenzie said that driving down Brock Street she had seen a sign on the Terron Property. The City should lose no time in appointing a full-time solicitor so that some of these zoning problems could be moved along.

UNFINISHED BUSINESS (Cont'd)

Ald. McArthur said that an $18,000,000.00 development on the former Terron property had been announced on the news that evening. The development would be Rollins Construction.

Ald. McArthur said that the hay market was not being used for parking. Cars were parked all over the street.

Ald. Hawkins extended an invitation to the members of Council to attend the next Public Works Meeting when the use of Bombadier's for sidewalk snow-plowing.

Ald. Hawkins said that he understood that the Edwards property on Princess Street had been purchased for industrial use although it was zoned commercial.

Ald. Miller said that some of the City paintings including the one of Sir John A. MacDonald were on display at the Etherington Art Centre. A number of the paintings by Mr. Sawyer were being featured at this display.

Mayor Keyes reminded the members of Council of the invitation from Alcan to tour their plant next Tuesday.

Ald. Breen said that the Marine Radio Station had moved back to Cardinal. This was a definite loss to the City of Kingston area.

Mayor Keyes said that about a year ago when this had been known, a letter of protest had been written to the Federal Government. The Federal Government had taken the position that there would be very little delay in broadcasting information to the Kingston area and that it was necessary to make the move in order to bolster the economic development of the Cardinal area.

BY-LAWS

(A) Moved by Ald. Hawkins,
Seconded by Ald. Mackenzie,

That By-Laws 1 to 5 be given their first and second readings.

CARRIED

(Ald. Clements, Mackenzie, McArthur, Miller, and Hawkins opposed)

(B) Moved by Ald. Matthews,
Seconded by Ald. Miller,

That Rule 35 of By-Law No. 1 be suspended for the purpose of giving By-Laws 3,4 and 5 their third reading.

CARRIED

(C) Moved by Ald. Gerretsen,
Seconded by Ald. Hawkins,

That By-Laws 3 to 11 be given their third reading.

CARRIED

(Ald. Hawkins opposed)

(1) A By-Law to stop up and close Bagot Street from Barrie Street to West Street.

(FIRST AND SECOND READINGS) (PROPOSED NO. 9028)
Clause 3, Report No. 58, 1977

CARRIED

BY-LAWS (Cont'd)

(2) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of the Highway Traffic Act" (Clauses 8 and 9, Report No. 58).

(FIRST AND SECOND READINGS) (PROPOSED NO. 9029)
Clauses 8 and 9, Report No. 58, 1977

CARRIED

(3) A By-Law to Levy a Tax on Universities, Colleges and Hospitals in the City of Kingston for the Year 1977.

(THREE READINGS) (PROPOSED NO. 9030)
Clause 2, Report No. 59, 1977

CARRIED

(4) A By-Law to Authorize The Corporation of the City of Kingston to Apply to the Council of the Corporation of the City of Kingston for Approval to Expropriate the Lands Known as 222 Princess Street.

(THREE READINGS) (PROPOSED NO. 9031)
Clause 14, Report No. 59, 1977

CARRIED

(5) A By-Law to Confirm the Proceedings of Council at Its Meeting Held on May 24, 1977.

(THREE READINGS) (PROPOSED NO. 9032)
City Council Meeting No. 15

CARRIED

(6) A By-Law to Authorize the Construction of an Asphalt Sidewalk on the North Side of Weller Avenue under the Provisions of Section 8 of the Local Improvement Act.

(THIRD READING) (PROPOSED NO. 8870)
Clause 4, Report No. 66, 1976

CARRIED

(7) A By-Law to Authorize the Construction of a Storm Sewer in Unnamed Street from Counter Street to Elliot Avenue and in Counter Street from Unnamed Street Westerly 251 Feet under the Provisions of Section 7 of the Local Improvement Act. (Petition).

(THIRD READING) (PROPOSED NO. 8940)
Clause 4, Report No. 109, 1976

CARRIED

(8) A By-Law to Amend By-Law No. 4489, "A By-Law to Regulate, Supervise and Govern the Parking of Vehicles on Parking Lots and to Fix the Rates and Charges for Parking on Such Parking Lots" (Court House Parking Meters).

(THIRD READING) (PROPOSED NO. 9021)
Clause 1, Report No. 48, 1977

CARRIED

BY-LAWS (Cont'd)

(9) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of the Highway Traffic Act". (Clause 4, Report No. 48)

(THIRD READING) (PROPOSED NO. 9022)
Clause 4, Report No. 48, 1977

CARRIED

(10) A By-Law to Dedicate Certain Land, 4.5 Foot Strip along the North Side of Bath Road adjacent to the Kingston Shopping Centre, as Part of Bath Road.

(THIRD READING) (PROPOSED NO. 9023)
Clause 7, Report No. 48, 1977

CARRIED

(11) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Rezone 0.47 Acre East Side Country Club Drive from OS2 Parks, Open Space and Flood Plain (Private Open Space) to A2 Residential (One Family)).

(THIRD READING) (PROPOSED NO. 9024)
Clause 5, Report No. 49, 1977

CARRIED

MOTIONS

(1) Moved by Ald. Webb,
Seconded by Ald. Allmark,

That Council do now adjourn.

CARRIED

Council adjourned at 10:45 P.M.

(L.S.)

(Signed) T.J. McKibbin,
Clerk-Comptroller

(Signed) Ken Keyes
Mayor

Local Govt.

CITY COUNCIL MEETING NO. 16

The Regular Meeting of City Council will be held in the Council Chamber at City Hall on Monday, June 13, 1977 at 8:00 P.M.

ROLL CALL

TABLING OF DOCUMENTS

MINUTES

That the Minutes of City Council Meeting No. 15, held on May 24, 1977 be adopted as printed.

COMMUNICATIONS

To Be Filed

(335) From the Kingston and District Association for the Mentally Retarded, a letter of thanks for a cheque in the amount of $1,000 from the City.

(336) Minutes of the Kingston Tourist & Visitors' Bureau Meeting on Tuesday, May 10, 1977.

(337) From the Solicitor General of Canada thanking members of Council for their support of the proposed reception centre in Kingston.

(338) From The Canadian National Institute for the Blind thanking Mayor Ken Keyes and the members of City Council for the cheque in the amount of $3,000 which represents the 1977 Grant.

(339) From St. Mary's of the Lake Hospital thanking members of Council for the cheque in the amount of $10,000.00 fulfilling the City's pledge of $10,000.00 per year for 10 years to assist this hospital.

Which Has Been Referred to the City of Kingston Planning Board

(340) From Mr. and Mrs. Venasse Renaud, 196 Ordnance Street, supporting the new Zoning By-Law No. 9016 for the rebuilding of the funeral home at the corner of Clergy and Colborne Streets.

(341) From Mrs. Beatrice O'Brien, 387 Barrie Street, supporting the new Zoning By-Law No. 9016 for the rebuilding of the funeral home at the corner of Clergy and Colborne Streets.

(342) From Ms. Vada Leishman, 52 Colborne Street, supporting the new Zoning By-Law No. 9016 for the rebuilding of the funeral home at the corner of Clergy and Colborne Streets.

- -

COMMUNICATIONS (cont'd)

Which Has Been Referred to the Finance and Accounts Committee

(343) From the Executive and members of the Little Cataraqui Environment Association supporting the purchase of the Pine Woods and adjacent area along the Little Cataraqui Creek.

To Be Filed

(344) From Canadian Mental Health Association thanking members of Council for the Grant of $200.00.

To Be Referred to the Parks and Recreation Committee

(345) From the Upper Canada Pageant, whose members will be visiting Great Britain in August, requesting a City of Kingston flag for presentation at Queen's Silver Jubilee events in England along with other donated City Flags.

To Be Filed

(346) Statement of Revenue & Expenditures for the period ending March 1977 of the Public Utilities Commission of the City of Kingston Transit Department.

(Note: Copies have been distributed to all members of Council.)

Which Has Been Referred to the City of Kingston Planning Board

(347) Application by the City of Kingston for zone change of Lots 1-11, Reg. Plan #54 (Portsmouth Olympic Harbour) from P (General Recreation) Park and OS 3 (Harbour Open Space) By-Law 8499 to "P" - modified to permit 10,000 sq. ft. of Commercial space within the existing bldg. in order to generate the necessary revenue to support the entire complex.

(348) Application by the City of Kingston for Official Plan Amendment of Lots 1-11, Reg. Plan # 54 (Portsmouth Olympic Harbour) to permit some marine oriented Commercial uses.

(349) From Dorothy Geiger objecting to By-Law No. 8995, Kingston Yacht Club Zoning.

To Be Filed

(350) From Consumers' Association of Canada thanking City Council for the grant of $230.00.

(351) Minutes of the Executive of the Cataraqui Region Conservation Authority held on May 18th, 1977.

(352) Minutes of a General Meeting of the Cataraqui Region Conservation Authority held on May 18th,1977.

(353) Minutes of the Executive of the Cataraqui Region Conservation Authority held on May 11th, 1977.

(354) From Ontario Municipal Board the City's capital works 1977 quota of $2,536,200 has been approved and advising that applications for approval of specific projects up to $2,536,200.00 total must still be made for each undertaking before any action is taken, beyond preparation of plans and specifications, and the calling of tenders.

COMMUNICATIONS (cont'd)

Which Has Been Referred to the City of Kingston Planning Board

(355) From Jack Campbell and T. Edmond Wright, 422 Elmwood Street, an application for zone change of Park Lot 4, West of the Great Cataraqui River at 783-785 Division Street to Commercial from M6 Industrial.

Which Has Been Referred to Community Services Committee

(356) From The Regional Municipality of Waterloo the following resolution for Council's consideration:

> *IN THE MATTER OF the Regional Municipality of Waterloo indicating its grave concern regarding Psi Mind Development Institute Ltd. organization activities to the Premier of Ontario, the Ministry of Consumer and Commercial Affairs and the Attorney General and urging the Ministry of Health to thoroughly investigate said Psi activities;*
>
> *WHEREAS the methods used by Psi Mind Development Institute Ltd., in their courses, appear to be those that should be administered by persons with specific professional training and qualifications;*
>
> *AND WHEREAS evidence is lacking that such qualified persons are employed by Psi in the actual running of their courses;*
>
> *AND WHEREAS there have been reported well-documented cases of acute severe mental breakdown requiring hospitalization appearing at the time or shortly following said Psi courses;*
>
> *AND WHEREAS the Council of the Regional Municipality of Waterloo has requested that the Psi Mind Development Institute Ltd. organization be thoroughly investigated to see that no laws relating to human rights, reporting of income, advertising claims, pyramid sales, etc. are being violated;*
>
> *NOW THEREFORE BE IT RESOLVED THAT the Regional Municipality request endorsation and support of all municipalities in Ontario to exert pressure on the Government of Ontario in an attempt to suspend operation of Psi Mind Development Institute Ltd. organization in the Province of Ontario and that this resolution be forwarded to the Premier of Ontario, the Ministry of Consumer and Commercial Affairs, the Attorney General and the Ministry of Health for their information and appropriate action.*

Which Has Been Referred to City of Kingston Planning Board

(357) From Mr. & Mrs. F. Boyce, 164 Clergy Street East, supporting the new Zoning By-Law No. 9016 for the rebuilding of the funeral home at the corner of Clergy and Colborne Streets.

(358) From Mr. William Pelow, 175 Clergy Street East, supporting the new Zoning By-Law No. 9016 for the rebuilding of the funeral home at the corner of Clergy and Colborne Streets.

(359) From Speal & Viner notification that the Plan of Re-subdivision was formally registered on May 31st, 1977 as Registered Plan No. 1688 and requesting that a By-Law be passed to exempt these lands from Section 29 of the Planning Act in order that each half of the Lot could be sold as individual transactions.

COMMUNICATIONS (cont'd)

To Be Filed

(360) From The Ministry of Treasury, Economics and Intergovernmental Affairs to the Corporation of the City of Oshawa for their endorsement of the City of Kingston's requested amendment to The Municipal Act to authorize temporary street closings for purposes of undertaking sewer and watermain projects.

(361) From The Ministry of Treasury, Economics and Intergovernmental Affairs to the Corporation of the City of Kingston for their amendment to The Municipal Act to authorize temporary street closings for purposes of undertaking sewer and watermain projects.

To Be Referred to the Housing Subcommittee

(362) Address by Jean-Robert Gauthier, M.P., Parliamentary Secretary to The Honorable André Ouellet, Minister of State for Urban Affairs to the Joint National Annual Congress of Engineering on May 17, 1977.

To Be Referred to Finance and Accounts Committee

(363) From Kingston, Frontenac and Lennox and Addington Health Unit the following resolution approved by their board at a meeting held on May 31, 1977:

> *"..... that the City of Kingston be informed that the Kingston, Frontenac and Lennox and Addington Health Unit board are in receipt of a letter, dated March 21, 1977, from Mr. McKibbin, raising the question of remuneration by the board of health to its aldermanic representatives from the City of Kingston, and that the board of health has also received a communication from its solicitor in this regard. Based on a review of this correspondence, it is the board of health's opinion, at this point in time, that as an independent body the board feels it to be its responsibility to continue to pay honoraria according to its statutes."*

To Be Filed

(364) From The Frontenac County Board of Education informing that they have provided copies of Report No. 54 of the City of Kingston Planning Board re: Proposed Closing of Central Public School and MacDonald Public School to each member of the Board and their decision on May 26 to reconsider the resolution.

(365) From The Canadian Cancer Society, Quinte-Thousand Island District, expressing their appreciation to City Council for passing the resolution on April 12th, 1977, that the Canadian Cancer Society be permitted to use three rooms at the Portsmouth Olympic Harbour on May 28, at no charge, for a District Meeting.

(366) Copies of *"Background"* dated May 20, 1977 and May 27, 1977 from the Honourable Darcy McKeough, Treasurer of Ontario.

(Note: Copies have been distributed to all members of Council.)

COMMUNICATIONS (cont'd)

To Be Filed (cont'd)

(367) Copy of *"Ontario Economic Council Research Studies"*.

(Note: Copies have been distributed to all members of Council.)

(368) Copy of *"Directory of Governments in Metropolitan Toronto 1977-78"* from the Bureau of Municipal Research.

(Note: Copies have been distributed to all members of Council.)

(369) Registration form for the Spring Conference of the C.P.A.C. Ontario Division, to be held on June 19, 20, 21, 1977 in Chatham, Ontario.

(Note: Copies have been distributed to all members of Council.)

To Be Referred to Community Services Committee

(370) From the Ministry of the Environment a copy of the proposed noise control by-law of the City of Hamilton.

(371) From The Ministry of Government Services, Property Management Branch, requesting Council to grant a further extension of the Property Standards Order issued against the Mowat Avenue properties until August 31, 1977.

(372) From The Ministry of Community and Social Services re: Municipal Payments on Court Orders Under Juvenile Delinquents Act (Canada), expressing concern developed around two main items listed below:

1. Provincial cost sharing in what is a rapidly growing Municipal cost, and
2. The decision of the Supreme Court of Ontario which in effect denies the right of the Juvenile and Family Court Judge to commit a child directly into a group home.

On the first point, the Province of Ontario will share in the Municipal costs under these Orders to a level of 50% of the expenditures effective from April 1, 1977 to March 31, 1978.

On the second point, payments made on existing Orders will continue to be valid for subsidy claims and will continue to be treated as valid, so long as those Orders are subsisting.

The Province of Ontario has instituted an appeal against the decision of the Supreme Court of Ontario based on a need to clarify fully, the status of the child in relation to the Family Court and to the Child Welfare authorities and is awaiting an early decision relative to the appeal.

(373) From the City of Owen Sound requesting endorsation of the following resolution:

"WHEREAS by virtue of section 466 (2) of The Municipal Act, municipalities were granted a one year period within which to commence proceedings to enforce contraventions of Building By-laws passed under section 38 of The Planning Act; and

WHEREAS by virtue of section 23 (1) of The Ontario Building Code Act, 1974 it is provided that everyone who contravenes any provision of the Act is guilty of an offence and on summary conviction is liable to a fine; and

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COMMUNICATIONS (cont'd)
To Be Referred to Community Services Committee (cont'd)

(373) (Cont'd)

> *WHEREAS The Summary Convictions Act provides that no proceeding shall be instituted more than six months after the time when the subject matter of the proceedings arose; and*
>
> *WHEREAS it is deemed expedient, desirable and necessary to provide a one year period within which to commence proceedings to enforce a contravention of The Building Code Act and Regulations.*
>
> *NOW THEREFORE BE IT RESOLVED THAT the Province of Ontario be requested to amend The Building Code Act, 1974 to provide that proceedings to enforce a contravention of the Code may be initiated within one year after the time of the contravention and that imprisonment may be for a term of not more than six months; and*
>
> *FURTHER THAT a copy of this resolution be forwarded to The Honourable S.B. Handleman, Minister of Consumer and Commercial Relations, Mr. E. Sargent, M.P.P. Grey-Bruce, all Ontario Cities and the Association of Municipalities of Ontario."*

To Be Referred to the Transportation Committee

(374) From the Public Utilities Commission of the City of Kingston, requesting City approval for the location of a bus shelter at the Kingston General Hospital on Stuart Street and also approval for a bus stop on the south side of Stuart Street from George Street 80 feet westerly to serve this shelter.

To Be Referred to Parks & Recreation Committee

(375) From Ministry of Culture and Recreation a CONDITIONAL COMMITMENT for financial assistance in the amount of $58,500 from Wintario for the development of tennis court complex along with the conditions of this commitment, the procedures for applying for FINAL APPROVAL, and the methods of payment.

To Be Filed

(376) From The Ministry of the Environment thanking the City for comments in response to the "Report of the Municipal Working Group, Recommendations for the Designation and Exemption of Municipal Projects under The Environmental Assessment Act" and informing the City that the deadline for receipt of comments has been extended to June 30, 1977 and formal action will not be taken until that time.

(377) Copy of *"Newsletter"* dated May, 1977, No. 2 from The Ministry of Consumer and Commercial Relations.

COMMUNICATIONS (cont'd)

To Be Filed (cont'd)

(378) From Mrs. Marion W. Hardtman objecting to the closing of the portion of Bagot Street between Barrie Street and West Street.

(379) From Transport Canada notifying that they will be reviewing Waterfront - Street Ends as expeditiously as possible.

To Be Referred to the Transportation Committee

(380) From the Public Utilities Commission approving in principle Phase II as outlined in the memorandum to the Commission re: Bus Routes North of Weller Avenue and informing that the Public Meeting will now be held at St. Matthew's United Church Hall, 31 Weller Avenue at 7:30 P.M. on Wednesday, June 29th, 1977.

To Be Referred to the City of Kingston Planning Board and to the Mayor's Waterfront Committee

(381) Copy of a letter received by the City of Kingston from Transport Canada to Mrs. Irene Mooney as follows:

> *"We have received your letter of May 19, 1977 and advise as follows:*
>
> *The document dated December 22, 1976 in favour of Davis Properties was issued under section 5(2) of the Navigable Waters Protection Act, exempting the work proposed from approval of the Minister. Under this particular section of the Act there is no requirement to advertise the intended "work".*
>
> *With respect to the "filling" mentioned in your letter our inspection revealed that earth fill has been dumped along the shoreline in the area immediately south of Cataraqui Street. Unfortunately this office was not aware of this work. Steps are being taken to notify the owner of the requirements of the aforementioned statute.*
>
> *We wish to thank you for bringing this matter to our attention."*

PETITIONS

REPORTS

REPORT NO. 60

May 26, 1977.

To the Mayor and Members of Council:

The Community Services Committee reports and recommends as follows:

1. That the following resolution from the Corporation of the City of Cambridge BE ENDORSED:

"THAT WHEREAS a great number of community projects may be curtailed or postponed due to the current economic climate;

AND WHEREAS the Province of Ontario has indicated proceeds from the Provincial Lottery would be directed towards health research and health related environmental projects;

AND WHEREAS no guidelines have been announced by the Province of Ontario as to what will constitute health research or health related environmental projects;

AND WHEREAS certain community projects might qualify and be proceeded with, through the assistance of funds received from the Provincial Lottery, if guidelines were clarified;

NOW THEREFORE BE IT RESOLVED that the Province of Ontario, through the appropriate Ministry, be requested to immediately release guidelines respecting the distribution of Provincial Lottery funds.".

2. That the following resolution of the City of Guelph be endorsed:

"THAT the Federal and Provincial Governments be urged to take what action is necessary, including if need be, the presentation of legislation to ban the importation, manufacture, sale and distribution of the 'Death Race' game and other games that have a similar objective.".

3. THAT WHEREAS the City of Kingston By-Law regulating the hours of car washes was passed under authority of Section 354 of the Municipal Act, R.S.O. 1970, as amended;

AND WHEREAS in November, 1976, the High Court of Justice ruled that the by-law of Metropolitan Toronto that regulated hours of operation of car washes was invalid and that hours of operation can only be regulated for shops as set forth in Section 355 of the Municipal Act;

AND WHEREAS the City Solicitor reports that three charges for operating car washes after the hours permitted by the City of Kingston by-law have been dismissed;

THEREFORE BE IT RESOLVED that a resolution be forwarded to the Provincial Government requesting an amendment to the Municipal Act, R.S.O. 1970, as amended, to provide for the regulation of hours of operation of car washes and further that this resolution be forwarded to other municipalities and to the Association of Municipalities for endorsation.

4. That the following resolution of the Townships of Shackleton & Machin be endorsed:

"WHEREAS the Corporation of the Townships of Shackleton and Machin is concerned about the adverse effects of the non-medical use of drugs on the health of the citizens of Canada and in particular on the health of the citizens of the municipality;

AND WHEREAS the Corporation of the Townships of Shackleton and Machin wishes to voice its opposition to any attempt to change

4. (cont'd).

existing legislation in relation to the non-medical use of drugs;

BE IT RESOLVED THAT:

The Corporation of the Townships of Schackleton and Machin hereby declare that it opposes any amendments to The Narcotic Control Act, R.S.C. 1970, Chapter N-1, as amended, in relation to the legalization of or lessening of criminal sanctions for the possession, trafficking, importing or cultivation of marihuana.".

5. That, as recommended by the Transportation Committee, By-Law No. 8, "A By-Law to Provide for the Licencing and Regulation of Dogs and Cats and for the Control of Animals Suspected of Having Rabies" be amended as follows:

   a) Urination be included in the regulation regarding dogs defecating on any property other than the property of its owner.

   b) That the fine for dog owners permitting such dog to attack any person be increased from $10 to $25.

   c) That the violation tickets be prepared in duplicate instead of triplicate.

6. That a resolution be forwarded to the Provincial Government requesting an amendment to the "Dog Licencing and Live Stock and Poultry Protection Act" to provide that:

   a) The fee for owners of kennels with purebred dogs be increased from $25 to at least $50 per year.

   b) That the meaning of a dog at large not under control of any person should be amended to include "by means of a leash".

   and that this resolution be forwarded to the Association of Municipalities and to other municipalities for their endorsement.

7. WHEREAS, the Honourable W. Darcy McKeough, Treasurer of Ontario has sent a copy of Bill No. 67, "An Act to Amend the Municipal Act" for the information of the members of council and has requested comment on it;

   AND WHEREAS the proposed Bill has been reviewed;

   THEREFORE THE PROVINCIAL TREASURER be notified that the Council of the Corporation of the City of Kingston supports the proposed amendments as set out on the attached Schedule "A" but requests that amendments be made to the Housing Development Act to insert the word "building development" in Section 6 (5) after the words "joint housing project" in line fourteen, and to Section 4 (2) (n) of Bill 67 to refer to Section 6 (5) of the Housing Development Act, as amended.

   (Note: These proposed amendments are necessary to provide authority for municipalities to borrow funds for their share of a neighbourhood improvement plan.)

Respectfully submitted,

CHAIRMAN.

BILL 67 - AN ACT TO AMEND THE MUNICIPAL ACT

The following changes to the Municipal Act are contained in Bill No. 67:

1. Amendment to Section 1, Section 38

   Section 38 of the Act sets out the circumstances under which the seat of a member of council becomes vacant.

   This amendment is designed to make it clear that death creates a vacancy if it occurs prior to accepting office and taking the prescribed declarations.

2. Amendment to Section 198 and Section 388 (1)

   These amendments provide that a council of a municipality may pass by-laws for the payment of its members of a per diem rate for attendance at meetings related to municipal business, but the payment for attendance at which is not otherwise authorized under The Municipal Act or any other general of special Act.

3. Amendment to Section 245

   This amendment provides that the fiscal year for municipal hospitals shall be the fiscal year of a public hospital as prescribed under The Public Hospitals Act i.e. being the 1st day of April to the 31st day of March. Dates are also set out for the submission of estimates, annual reports and statements.

4. Amendment to Section 293

   This amendment provides that the assent of the electors is not required to a by-law passed pursuant to Section 16 of the Housing Development Act respecting the acquisition of land for housing purposes or for providing money for the paving or repaving of highways and the construction, reconstruction or reflooring of bridges.

5. Amendment to Section 354(1)

   This amendment provides that a municipality may pass a by-law for adopting and participating in an emergency fire service plan and program established by the fire co-ordinator of a regional, district or metropolitan municipality, or district fire co-ordinator.

6. Repeal Section 455 and add a new Section 455

   This amendment provides for a extension from five years to ten years as the period which moneys borrowed for the purchase of roadmaking machinery may be repaid.

7. Repeal Subsection 10 of Section 527 and add a new Section

   This amendment provides that where part payment of taxes due for any year are received, after crediting the payment first on account of interest and penalty charges if any, the remainder is to be credited firstly against those instalments longest overdue.

8. Repeal Section 542

   This amendment is necessary because of Change to Subsection 10 of Section 527.

REPORT NO. 61

May 25, 1977

To the Mayor and Aldermen:

The Transportation Committee reports and recommends as follows:

1. That parking be prohibited on the east side of Gilmour Avenue from Elmwood Street south to the end of Gilmour Avenue, 9:00 a.m. - 4:00 p.m. Monday to Friday inclusive.

2. That the prohibition of parking on the east side of Alfred Street from Mack Street to Brock Street 10:00 a.m. - 11:00 a.m. and 2:00 p.m. - 3:00 p.m. be removed.

3. That, as requested by Queen's University, a portion of Queen's Crescent between University Avenue and Alfred Street be temporarily closed from July 1st to December 31st, 1977 by placing large square blocks across Queen's Crescent as shown on the submitted plan. This closure would be at the expense of Queen's University and would be subject to the following conditions:

   a) Queen's University will snow plough and street clean the entire block between University Avenue and Alfred Street.

   b) Two blocks be placed at least 9 feet apart and connected by a chain for fire access.

4. That the Kingston Tourist and Visitor's Bureau be permitted to erect information signs 6 ft x 8 ft at the following locations:

   a) Montreal Street North
   b) Division Street North (to replace present sign)
   c) Princess Street by the Ambassador Motor Inn (to replace present sign)
   d) Bath Road near the bridge
   e) Ontario Street near the LaSalle Causeway (to replace present sign)

   and also be given permission to place small aluminum signs 2 ft x 3 ft at the following locations:

   a) Montreal Street at Princess Street
   b) Division Street at Princess Street
   c) Bath Road at Traffic Circle
   d) Princess Street at Ontario Street
   e) Bath Road at Sir John A. MacDonald Blvd.
   f) Princess Street at Sir John A. MacDonald Blvd.
   g) Princess Street at Seaway Town House
   h) Princess Street at Division Street
   i) Princess Street at Montreal Street

Respectfully submitted

CHAIRMAN

Parks and Recreation Report No. 62

May 26, 1977

To the Mayor and Aldermen

The Parks and Recreation Committee recommends as follows -

1. That permission be given to The Limestone Golden Years Club to amend their Constitution to lower the age limit from 60 to 55 years.

2. That, since it has been established that the location of the City-owned tree at 320 Rideau St makes it necessary for the Owner, when approaching his driveway from the north, to encroach upon the north bound traffic lane and to encroach upon the adjoining property in order to obtain access to his driveway, and since the removal of the tree at the Owner's expense has been authorized for the above reasons, the charge, in the approximate amount of $5400.00, that would normally be made under the provisions of By-law No.7936 - A By-law to Establish a Reserve Fund for the Replacement of Trees - be waived.

Respectfully submitted,

Chairman

REPORT NO. 63

June 7, 1977

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. WHEREAS it is proposed by the Parks and Recreation Committee of the City of Kingston to lease up to 10,000 square feet of floor space in the Portsmouth Olympic Harbour building at 53 Yonge Street for compatible commercial or institutional uses, and

WHEREAS Zoning By-Law #8499 places the park in a P General Recreation Park which does not allow the uses proposed, and

WHEREAS the Official Plan policy for Portsmouth Olympic Harbour Park allows for private enterprise to lease from the City, and

WHEREAS in the opinion of Planning Board leasing to compatible commercial or institutional uses on a limited basis would not be incompatible with prime function of the site as park-marina;

THEREFORE BE IT RESOLVED that By-Law #8499 be amended as follows:

1) By amending Zoning Map No. 29 so as to rezone the approximately 10± acre parcel of land located east of Yonge Street and south of King Street, as shown on a copy of Zoning Map No. 29 which is attached hereto as Schedule 'A', from P Parks, Open Space and Flood Plain (general recreational park), to P.131 Parks, Open Space and Flood Plain (general recreation park).

2) By adding as section 131 the following:

"131. On the approximately 10 acre parcel of land located on the east side of Yonge Street south of King Street and designated P.131 on Zoning Map No. 29 attached to and forming part of By-Law _______ as Schedule 'A', the permitted uses shall also be:

a) offices for or in connection with a business, profession or government service;

b) retail sales of marine supplies, excluding foodstuffs and drug sundries;

c) ship chandlers;

d) community schools, and educational classes or courses given under the jurisdiction of a university community college or board of education;

e) social or recreational clubs or groups;

f) the total building floor to be occupied by a), b) and c) above shall not exceed a total of 10,000 square feet to be confined within the Olympic Harbour building."

2. That Council does hereby certify that By-Law No. ______, "A By-Law to Amend By-Law No. 8499, 'Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston' (Rezone 10 Acres East of Yonge Street and South of King Street, from P Parks, Open Space and Flood Plain (general recreation park), to P.131 Parks, Open Space and Flood Plain (general recreation park)', is in conformity with the Official Plan approved and in force in the City of Kingston.

3. That the following plans, submitted by Alcan Canada Products Limited, for a 50 feet high, 8,500 square feet addition on the north side of the existing laboratory facilities located in the southeastern section of the Alcan site:

Drawing 1, Fresh Water Supply, Kingston Research Centre; Dated May 6, 1977;

Drawing 2, Proposed Building #46, dated May 5, 1977

Drawing AD 1250-67-3-103, Finish Floor and Concrete Details, Dated April 13, 1977;

Drawing AD 1250-67-5-001, Plans and Elevations, Dated April 20, 1977

be approved, as recommended by the Site Plan Committee and the Technical Planning Committee, subject to the applicant entering into a development control agreement.

4. That the following plans, submitted by Bell Canada Limited, for a second storey, 7,500 square feet addition, fronting on Garrett Street and containing 0.9 acres ± :

Drawing 76005-A1, Site Plan & Details, dated January, 1977

Drawing 76005-A2, Partial Floor Plan & Details, dated January, 1977;

Drawing 76005-A3, Partial Second Floor Plan, dated January, 1977;

Drawing 76005-A4, Elevations, dated January, 1977;

Drawing 76005-A5, Building Sections, dated January, 1977

be approved, subject to the applicant entering into a development control agreement which shall include the following conditions:

a) that the development be in accordance with the above listed plans;

b) submission of a landscaping plan to be approved by the City;

c) the applicant shall enter into a development control agreement which shall include the above conditions.

5. That the following plans, submitted by Dacon Corporation Limited, for a six-storey, 72-unit apartment building at Princess Street and Sir John A. MacDonald Boulevard:

Perspective		April, 1977
Plan #1	Site Plan	July 20, 1976
Plan #4	Elevations	March, 1977
Plan G-1	Underground Garage	Amended May, 1977
Plan #2	Grading and Servicing Plan	Amended May, 1977

5. (Cont'd)

be approved, subject to the applicant entering into a development control agreement which shall include the following conditions:

a) *that the development be in accordance with the above listed plans;*

b) *that a ramp or depression be built to allow left turn movements by fire emergency vehicles across the dividing median in Sir John A. MacDonald Boulevard opposite the entrance to the site, subject to the approval of the Transportation Committee;*

c) *that fire vehicle access routes to the satisfaction of the Fire Department be supplied;*

d) *plans showing elevations of the parking structure shall be submitted for City approval;*

e) *a retaining wall of 36"± or terraces shall be built along the Sir John A. Macdonald Boulevard frontage subject to design approval by the City;*

f) *storm water drainage from paved areas shall be rearranged to meet City requirements;*

g) *submission of a landscaping plan to be approved by the City;*

h) *the applicant shall enter into a development agreement which shall include the above conditions.*

6. That the plans submitted by Gordon F. Tompkins, for a two-storey funeral home with a ground floor area of 5,076 sq. ft. at Colborne Street and Clergy Street:

Drawing No. SK-1, Plans & Elevations, December 10, 1976

Drawing No. SK-3, Site Plan, March 18, 1977

be approved, subject to the applicant entering into a development control agreement which shall include the following conditions:

a) *that development be in conformity with the above listed plans;*

b) *that any external lighting shall be subject to the approval of the City;*

c) *that any exterior air conditioning units be be subject to the approval of the City;*

d) *that the applicant enter into the City's standard development control agreement which shall include the above conditions.*

7. WHEREAS on February 25, 1976, the Ontario Heritage Foundation approved a grant of $3000.00 to the City of Kingston for a pilot study of the Market Square Area preparatory to its designation as a Heritage Conservation District under The Ontario Heritage Act, 1974; and

WHEREAS Lily Inglis, Architect was appointed by Council on December 13, 1976 to prepare the Market Square Study; and

WHEREAS it is a requirement under the Act that the

7. (Cont'd)

City shall have approved an amendment to its Official Plan which provides for the establishment of heritage conservation districts and shall have passed a by-law to define the study area; and

WHEREAS the Local Architectural Conservation Advisory Committee has recommended approval of such an Official Plan amendment and by-law,

BE IT RESOLVED that -

1) The Official Plan be amended to provide for the establishment of heritage conservation districts as described in Appendix 'A' attached to the Agenda for Meeting No. 14 of the City of Kingston Planning Board.

2) A by-law be passed to define the Market Square Area as an area to be examined for future designation as a heritage conservation district as described in Appendix 'B' attached to the Agenda for Meeting No. 14 of the City of Kingston Planning Board.

The area to be examined shall consist of those properties on Brock, King and Market Streets facing the Market Square, as shown on the attached plan.

8. WHEREAS the City of Kingston is the owner of a strip of land connecting Glengarry Road and Inverness Crescent; and

WHEREAS on December 7, 1976 Planning Board recommended and Council subsequently approved the quit claiming of the following properties:

a) the easterly 5' of lot 83, registered plan 1390,
b) the westerly 5' of lot 82, registered plan 1390,
c) the westerly 7.5' of Block 'F', registered plan 1615,
d) the easterly 7.5' of Block 'F', registered plan 1615,

The quit claim shall be subject to the following conditions:

a) that all four lot owners agree to accept ownership of the land,

b) that all existing easement rights of the Public Utilities Commission are retained,

c) that quit claim include a clause prohibiting the lands from being used for tree planting or permanent structures,

and,

WHEREAS the owner of Lot 126 Registered Plan 1615 has not yet agreed to assume ownership of half the strip subject to the aforementioned conditions and the owner of Lot 125 has agreed to accept title to the whole strip between Lots 125 and 126 with the restrictions,

THEREFORE BE IT RESOLVED that if the owner of Lot 126 Registered Plan 1615 agrees in writing not later than Monday, 13th June, 1977 to accept quit claim for the 7.5' strip along the westerly portion of Block 'F' Registered Plan 1615, then such portion be quit claimed to the owner of Lot 126 subject to the conditions previously approved by Council; and

8. (Cont'd)

BE IT FURTHER RESOLVED that if the owner of Lot 126 fails to agree to assume ownership of the strip hereinbefore described, the entire strip between Lots 125 and 126 be quit claimed to the owner of Lot 125 subject to the following conditions:

1) that all existing easement rights of the Public Utilities Commission are retained,

2) that quit claim include a clause prohibiting the lands from being used for tree planting or permanent structures.

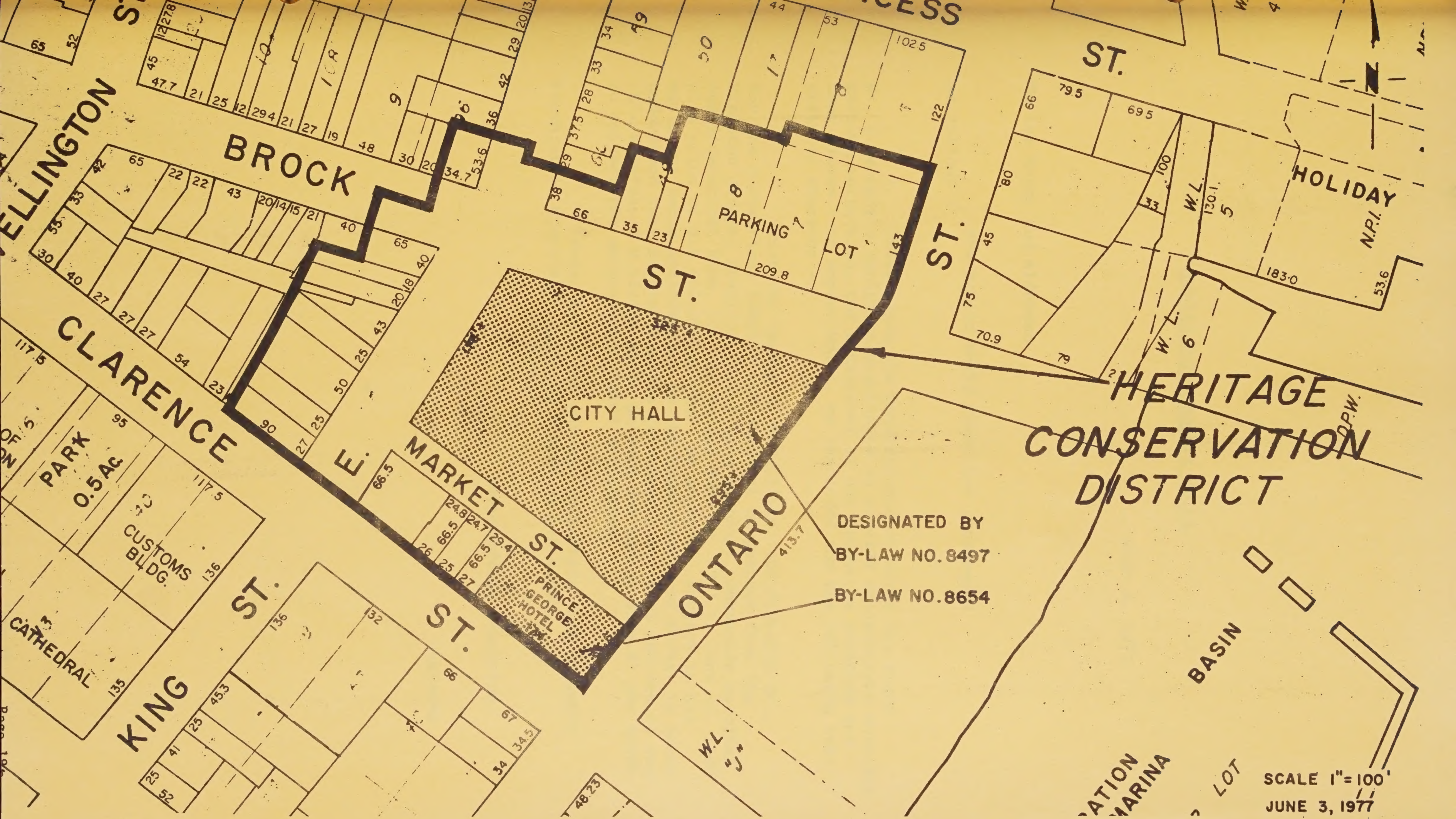
9. WHEREAS Mastercraft Construction Limited has requested that Lots 1 to 16 of Registered Plan No. 1688 be exempted from Part Lot Control so that the sale of half lots for semi-detached dwellings will not require the consent of the Committee of Adjustment; and

WHEREAS the Board is of the opinion that Part Lot Control is not necessary for this subdivision which has been designed in conformity with the R2 provisions of By-Law #8402;

THEREFORE BE IT RESOLVED that a by-law be passed pursuant to section 29(5) of the Planning Act, to exempt lots 1 to 16, inclusive, of Registered Plan No. 1688 from the provisions of Section 29(4) of the Planning Act (Part Lot Control).

Respectfully submitted,

CHAIRMAN


HERITAGE CONSERVATION DISTRICT
DESIGNATED BY
BY-LAW NO. 8497
BY-LAW NO. 8654
CITY HALL
PRINCE GEORGE HOTEL
PARKING LOT
ONTARIO ST.
KING ST.
CLARENCE ST.
BROCK ST.
E. MARKET ST.
WELLINGTON
HOLIDAY
N.P.I.
W.L.
W.L. "J"
D.P.W.
BASIN
MARINA
LOT
PARK 0.5 Ac
CUSTOMS BLDG.
CATHEDRAL
SCALE 1"=100'
JUNE 3, 1977

Public Works Report No.64

June 6, 1977

To the Mayor and Aldermen

The Public Works Committee recommends as follows -

1. That, since the Commissioner of Works has found Mr. D.Kennedy's equipment unsuitable to provide satisfactory hospital garbage collection, the withdrawal of his tender be accepted and that Clause 1 of Report No.51, be rescinded and the following substituted therefor -

That the tender of A.M.Lillis, 592 Division St., for the collection, removal and disposal of garbage from the Kingston General Hospital, Hotel Dieu Hospital, Ongwanada Hospital and Rideaucrest Home, for the period June 20, 1977 to June 19, 1980 at a price of $10,692.00 per year, be accepted, subject to his equipment being satisfactory to the Commissioner of Works, it being understood that if the Kingston Psychiatric Hospital decides to use this service, A.M.Lillis shall be paid the sum of $306.41 per month to collect the garbage calculated as follows -

Tender price for garbage collection from Kingston Psychiatric Hospital - $\frac{\$3673.00}{12\text{ months}}$ = $306.41 per month.

Respectfully submitted,

Chairman

REPORT NO. 65

June 8th, 1977.

To the Mayor and Members of Council:

The Committee on Finance and Accounts reports and recommends as follows:

1. That no action be taken on the following resolution from the City of Orillia:

> "WHEREAS the bulk of municipal taxes is made up of levies for the Boards of Education, and Police Departments over which local or regional councils have virtually no control and the system of arbitration respecting police commissions and their budgets appears to be biased against the municipalities;
>
> AND WHEREAS the continual escalation in demands upon tax rates is entirely unrealistic as compared with the incomes of the average ratepayer who must foot the bills no matter how extravagant these respective budgets may be;
>
> THEREFORE BE IT RESOLVED that the leaders and candidates of the parties in the forthcoming provincial election be made aware of our concern and their views requested as to their respective positions on this vitally important issue and their intention, if any, to amend the discriminatory legislation which, in effect, places municipalities at the mercy of extortionate demands rapidly becoming beyond the ability of the average taxpayer to meet except at great distress and financial sacrifice;
>
> AND THAT this resolution be circulated to all major municipalities in the Province urging their endorsement and active support."

2. That the following resolution from the City of Burlington be endorsed:

> "WHEREAS it is a known fact, supported by the data made available by the Province in 1976 to various municipalities in Ontario, that the present assessment values for taxation are seriously out of line with current property values, which has resulted in significant inequities in the tax burden of various classes of taxpayers and in the computation of Provincial grants based upon taxable assessment and upon the apportionment of costs between municipalities;
>
> AND WHEREAS financial analysis of the Reform Proposals as presented has shown that there will be a favourable effect upon the tax burden of residential ratepayers if they are implemented;
>
> AND WHEREAS considerable cost has been incurred by the Ministry of Revenue in compiling up-to-date assessment values and preparing for implementation of the change to market value assessment for 1978 taxation, which expense will be largely wasted if implementation of tax reform is further postponed.
>
> THAT the Province be urged to proceed with implementation of Market Value Assessment and Tax Reform as outlined in their proposals of April, 1976, to take effect for the municipal tax year 1978, modified as necessary by the report of the Blair Commission and submissions to be received from municipalities and other interested bodies and individuals;
>
> AND THAT the Province provide a clear statement of policy on Provincial grants having in mind the effects of the Tax Reform Proposals and the recent reduction in Provincial support for Social Services and that this policy statement be backed up with sufficient detail to allow municipalities to calculate precisely the impact upon their finances of the Tax Reform Proposals and the change in Provincial grants;

2. Cont'd.

AND THAT municipalities, school boards and other interested bodies as well as individual taxpayers be given the opportunity to comment upon the proposed grant changes, the procedure for dealing with previously exempt property, as well as the final draft of Tax Reform Proposals in the next few months so that reform of the municipal taxation system can take effect on schedule on January 1, 1978."

3. That the following resolution from the City of London be endorsed:

"THAT WHEREAS Section 53(2) of the Local Improvement Act provides that when a work which is undertaken as a local improvement is completed the Council may borrow on the credit of the Corporation at large such sums as may be necessary to repay temporary advances and to defray the cost of the work undertaken, including the Corporation's portion of the cost, and may issue debentures for the sums so borrowed;

AND WHEREAS the inability of a municipality to issue debentures to finance such works prior to their completion necessitates temporary borrowing which results in interest expense to municipalities for such temporary borrowings;

AND WHEREAS many municipalities now contract out their local improvement works and thus the cost of the works is known when the contract is accepted;

AND WHEREAS many municipalities assess flat rate charges against the benefiting property owners and thus the total final cost has no bearing on the amount to be assessed;

THEREFORE BE IT RESOLVED that the Treasurer of Ontario and the Minister of Economics and Intergovernmental Affairs be urged to effect an amendment to the said Section 53(2) of the Local Improvement Act, to permit municipalities to issue debentures to construct local improvements immediately upon a contract to construct such works having been accepted; and that a copy of this resolution be forwarded to the Association of Municipalities of Ontario and to all Cities and Boroughs in Ontario for endorsement."

4. WHEREAS Hotel Dieu Hospital has requested permission from the City to construct a steam line from Queen's University Heating Plant to Hotel Dieu Hospital as shown on Figure No. 1 prepared by J.D. Lee Engineering Ltd., dated January 27th, 1975;

AND WHEREAS route C as shown on the said plan, which is the route preferred by the Hospital and the City, would cross City park land, certain City streets, and a public laneway;

AND WHEREAS the City considers the operation of a steam line for Queen's University and public hospitals in the City to be in the public interest and by agreement dated September 25th, 1969, granted a license to Queen's University to install and operate a steam and duct line in and under certain public highways, streets and lands of the City:

THEREFORE the City grants permission to Hotel Dieu to extend the existing steam line from the Queen's Heating Plant to the Hotel Dieu Hospital along and across public streets as shown as Part 1 and across City Park, the Cricket Field, the public laneway and across Earl Street, William Street, and Johnson Street, as shown on the said Figure No. 1, subject to both the City and the Hospital entering into an agreement in the form attached hereto as Schedule "C".

5. That, as notification has been received from the Secretary-Treasurer of the Kingston Public Library Board that the Library Board sanctions payment of Certificate for Payment No. 8 from M. Sullivan & Son Ltd., for $190,457.72, and Invoice No. 22 from Lily Inglis and Wilfred Sorensen, Architects, for $343.36, these accounts be authorized for payment.

6. WHEREAS the new Ontario Home Renewal Rental Program requires signing of an agreement between the borrower and the City of Kingston, a copy of which is submitted to the provincial Government:

   THEREFORE BE IT RESOLVED that a by-law be presented to Council to authorize the Mayor and the Clerk-Comptroller to sign the Ontario Home Renewal Program Rental agreements in the form attached as Schedule "A".

7. That, as recommended by Mr. M. J. Ewart, Director of Purchasing, as set forth on Page 4 of the Summary of Tender No. 77-16, the tender for petroleum products be awarded, in part, as follows:

   Group "A"

Gasoline Grades 1 and 2	- To IMPERIAL OIL CO. LTD., subject to the proviso that any announced change in price structures are to be subject to the provision of 15 days notice of intent, and conditional upon the right of renegotiation being vested with the Corporation;
Oil, Diesel Fuels, Grades 1 & 2 Cleaning Solvent	- To GULF OIL CANADA LTD., subject to the proviso that any announced change in price structures are to be subject to the provision of 30 days notice of intent, and conditional upon the right of renegotiation being vested with the Corporation;
Oil, Engine Lubricating Oil, Diesel Engine Lubricating Oil, Transmission Lubricating Oil, Auto Transmission Oil, Two Cycle Engine	- To SHELL CANADA LTD., subject to the proviso that any announced change in price structures are to be subject to the provision of 15 days notice of intent, and conditional upon the right of renegotiation being vested with the Corporation;
Grease, Chassis Lubricating Kerosene	- To TEXACO CANADA LTD.

   Group "B"

Furnace Oil, No. 2 Stove Oil, No. 1	- To SHELL CANADA LTD., subject to the proviso that any announced change in price structures are to be subject to the provision of 15 days notice of intent, and conditional upon the right of renegotiation being vested with the Corporation;
Bunker, C	- To S. ANGLIN CO. LTD., subject to the proviso that any announced change in price structures are to be subject to the provision of 15 days notice of intent, and conditional upon the right of renegotiation being vested with the Corporation.

8. That Ms. Nina R. Mohan be appointed to the Kingston Area Planning Board for a term ending January 1, 1979.

9. That the regular July meeting of Council be held on July 11th and the regular August meeting of Council be held on August 8th.

10. That, as recommended by the Kingston Public Library Board, the following Change Orders be approved:

Change Order No. 17

1. Changes to Lighting fixtures all as detailed in Architects letter and Schedule pages 1 & 2 to M. Sullivan & Son Ltd., dated 6th April 1977 and Sullivan's Quotation of 10th May 1977

Univex Quotation	$1,188.00	
Louvred Ceilings - material	275.00	
Field Labour	125.00	
5% mark-up	79.50	
		$1,667.40

2. Conduit between Projection Rm. and Stage to Large Meeting Room: as quoted by Sullivan in minutes of May 11, 1977 Site meeting plus 5% mark-up

	$ 98.00	
	4.90	
		$ 102.90
		$1,770.30

Change Order No. 18

For supplying and installing new two hour Chubb-Moseley vault door, instead of re-using old vault door from existing Public Library - $1,300.00

11. That, the Liquor License Board be notified that Kingston City Council supports the request of the Kingston and District Agricultural Society that they be permitted to sell beer in the Marquee during the Kingston Exhibition from July 19th to 23rd, 1977, on the Community Centre grounds.

12. That, as recommended by the Parks and Recreation Committee, the following proposal be approved, in principle, it being noted that further information will be requested on the type of equipment to be installed and the operating plans, especially for the pool.

> "That, since Kingston Day Care Incorporated proposes to develop a preschool playground at 10 Chapman Street as described in their letter dated May 26, 1977, and since they propose to make this playground available for public use on evenings and week-ends thereby providing a needed recreational facility for this area of the City, the Parks and Recreation Committee endorses their proposal and recommends to the Finance Committee that the City indicate to them its willingness to contribute one-quarter of the estimated cost of constructing this playground, or $1,625.00, to support their application for a Wintario grant -
>
> Cost Figures
>
> | | |
> |---|---|
> | Asphalt | $2,000.00 |
> | Planters, fences, gates mound sand boxes, etc. | 1,500.00 |
> | Large adventure climber and pool | 3,000.00 |
> | | $6,500.00" |

and further that when agreement has been reached on the type of equipment to be installed and the operating plans, the appropriate budget transfer be made with the funds being appropriated from "Finance Contingencies".

13. That, as recommended by the Public Works Committee, the 1977 Capital Budget be amended by transferring $4,500.00 from "General Rate Sidewalk Reconstruction" to "Local Improvement Sidewalk Reconstruction" because the program amounted to $36,500.00 where $32,000.00 only had been provided in the 1977 Capital Budget.

14. That, as recommended by the Public Works Committee, a by-law be presented to Council to authorize the construction of a 36-inch diameter sanitary relief sewer in the North End Trunk Sewer right-of-way from 337 feet north of Portsmouth Avenue to 1008 feet northerly as a charge to the general tax rate at -

14. Cont'd.

a total estimated cost of $98,000.00; and further that funds be transferred from $20,000. allocated in Capital Budget for storm sewer in King Street from Queen to Princess Street in the amount of $8,000.00.

Note: The downstream sanitary sewer and the Water Pollution Control Plant have adequate capacity to accept the flows from this sewer.

15. That, as recommended by the Public Works Committee, a by-law be presented to Council to authorize the reconstruction of the concrete sidewalks on the streets listed on the attached Schedule "B", including radius improvements, at a total estimated cost of $53,377.00 less anticipated Ministry of Transportation and Communications subsidy of $7,877.00, as a charge to the general tax rate, provision for this expenditure having been made in the 1977 Capital Budget.

16. WHEREAS on October 14th, 1967, the Mayor of the City of Kingston and the Mayor of Boucherville signed a formal document twinning the two cities and solemnly pledging to abide by the permanent bonds between the Municipalities of the two cities, to favour exchanges in all domains between the inhabitants in order to further the development, by an ever improving comprehension within the living sentiment of fraternity; and pledging to join hands and all their talents to work towards the success of this enterprise of Peace and of Prosperity;

AND WHEREAS it is desirable to implement this pledge:

THEREFORE the following Committee on the Twinning of the two cities is hereby established:

Father Don Clement
Professor Daniel Fraiken
Mrs. Margaret Halliday
Professor Mac Freeman and
Alderman Yuri Tarnowecky;

and further that the sum of $500.00 be appropriated for clerical assistance and travelling expenses for this committee.

17. That the City, jointly with the Public Utilities Commission, subject to the concurrence of the Commission, place a full page advertisement in a tourist booklet that will be produced during June called "Kingston Encylopedia '77" at a total cost of $600.00, or a half page for $325. on its own if the Commission does not concur, with funds being appropriated from "Finance Contingencies".

18. That, as recommended by the Transportation Committee, two students be hired to sell dog licenses door-to-door at approximately $3.00 per hour at a total cost not to exceed $2,400.00 to be financed from revenue received from the additional dog licenses; and further that the following budget transfer be approved:

Increase Revenue - Dog Licenses -	$2,400.00
Increase Protective Inspection Salaries -	$2,400.00

Note: This arrangement will be reviewed at the end of three months and if it is deemed uneconomically feasible it will be discontinued.

19. That the City purchase a print of the film "Kingston Olympiad" at a cost of $500.00, to be retained at the City Hall, and that this expenditure be charged to the C.O.J.O. Capital Budget.

20. That the City retain Humphries and Burgham, Ontario Land Surveyors, to prepare a survey of the breakwater that lies within the bounds of Maitland Street, as extended, which would contain the following:

1. dimensions of breakwater at water level.
2. dimensions of breakwater at surface level.
3. amount and location of accretion as opposed to fill.
4. exact location of surface and water level points of breakwater (excluding accretion)

20. Cont'd.

at a cost not to exceed $1,600.00 to be shared with the Kingston Yacht Club;

and further that the necessary funds be transferred from "Finance Contingencies".

21. That, as recommended by the Director of Planning and Urban Renewal, the City acquire 59-61 Bay Street; it being noted that in January of this year Council approved the acquisition of this property and the Minister of Housing has subsequently approved the necessary amendment to the N.I.P. Redevelopment Plan, at a total cost of $21,657.00 (which includes legal expenses).

22. Whereas on June 18th and 19th, for twenty continuous hours, a telethon will be held in the lobby of the King Edward Hotel, in support of The Canadian Society for Autistic Children;

AND WHEREAS the cause, or causes, of autism in children are, as yet, unknown and no tests are available to discern autism

AND WHEREAS the Autism Society has brought about a concrete breakthrough in specialized care and achieved a viable alternative to institutionalizing children for the rest of their lives;

AND WHEREAS in support of these handicapped children, Premier Bill Davis has proclaimed the month of June "Autistic Month" in Ontario:

NOW THEREFORE THE month of June be proclaimed as "Autistic Month" in Kingston, so that citizens may become more aware of the problems of these special children.

Respectfully submitted,

CHAIRMAN.

AGREEMENT

THIS AGREEMENT DATED THE DAY OF 19

BETWEEN:

THE CORPORATION OF THE CITY OF KINGSTON
(hereinafter called "the Municipality")
OF THE FIRST PART

- and -

(hereinafter called "the Borrower")
OF THE SECOND PART

WHEREAS pursuant to The Housing Development Act, hereinafter referred to as "the Act" and the regulations made thereunder, the Municipality may make a loan to a landlord provided that he has entered into an agreement with the Municipality pursuant to the said regulations:

AND WHEREAS the Borrower is a landlord within the meaning of the said regulations:

AND WHEREAS the Borrower has obtained a loan dated the day of 19 , in the amount of $ and has undertaken to repair, rehabilitate, improve or convert an existing building comprising units, hereinafter referred to as "the property" situated at:

Civic Address:

Legal description sufficient for registration
of this document in the Land Registry Office:

NOW THEREFORE THIS INDENTURE WITNESSETH in consideration of the mutual convenants herein contained, the parties hereto undertake and agree as follows:

1. RENTAL

(1) Each dwelling unit in the property shall be leased to a family or individual at a monthly rental not in excess of the following:

Number of Units	Type of Unit	Maximum Amount Monthly Rental

(2) If the revenue from the property to the Borrower exceeds or is less than a sum sufficient to cover the operating expenses of the project plus a reasonable return on investment as approved by the Municipality, then the rentals, subject to the submission by the Borrower to the Municipality of a financial statement acceptable to the Municipality, may be adjusted upward or shall upon direction of the Municipality be adjusted downward accordingly effective from such date as the Municipality shall determine.

.../2

(3) For the purposes of subsection 1 and subject to subsection 4, the rental shall be calculated by adding to the rental of the dwelling unit before the repair, rehabilitation or improvement, the amortization figure of the repayable portion of the loan based on standard 20-year amortization tables and then adding or subtracting, as the case may be, the differential in operating expenses resulting from such repair, rehabilitation or improvement.

(4) Where a dwelling unit is unoccupied prior to its repair, rehabilitation or improvement, or where a new dwelling unit is created through conversion, the Borrower and the Municipality shall, before any work is commenced, come to an agreement as to the rental to be charged after the repair, rehabilitation, improvement or conversion, and such rental shall not exceed rentals being charged for similar accommodation in the area.

2. DEFAULT

In the event that,

(a) the Borrower commits a breach of this Agreement, or

(b) any instalment of principal and interest remains unpaid for thirty days after the date on which it becomes due,

the Municipality may declare the balance of the loan outstanding, due and payable forthwith together with interest accruing from the date of such default until paid.

3. DISCRIMINATION

The Borrower agrees that he will not, in the leasing of the accommodation, discriminate against any person by reason of race, color, religion, sex, marital status or national origin.

4. ASSIGNMENT OF INTEREST

Upon the Borrower's interest in the dwelling unit being assigned or transferred any unpaid portion of the loan shall immediately become repayable except as otherwise provided in the regulations.

5. TERM OF AGREEMENT

This Agreement shall continue in force for the term during which any portion of the loan is outstanding.

6. This Agreement is binding on the heirs, successors, executors, administrators and trustees of the Borrower.

IN WITNESS WHEREOF this Agreement has been executed by the parties hereto.

Corporate seal.

THE CORPORATION OF THE CITY OF KINGSTON

____

____

Signed sealed and delivered
in the presence of

____
Signature of borrower

SCHEDULE "B"

Proposed 1977 General Rate Sidewalk Reconstruction Schedule

Street	Side	From	To	Width Existing	Width Proposed	Cost
Lansdowne	W	Adelaide	Stanley	4	4.5	$4536.00
Stanley	N	Alfred	easterly 417'	4	4.5	4928.00
Graham	E	45' N. of Johnson	northerly 380'	4	4.5	5130.00
Birch	N	22.5' E. of Collingwood	easterly 337'	4.5	4.5	4549.00
Colborne	S & W	Chatham	westerly 166'	4	4	1992.00
Kensington	W	161.5 S. of Union	southerly 107'	5	5	1445.00
Colborne	S	Barrie	Clergy	5	4.5	6277.00
Willingdon	E	Hill	southerly 773'	4.5	4.5	10435.00
Hill	S	Willingdon	easterly 56'	4.5	4.5	756.00
Division	E	21' N. of Pine	Adelaide	4	4.5	7192.00
Johnson	N	150' W. of Clergy	westerly 104'	9	6	2230.00
Sydenham	W	Earl	William	5	4.5	3307.00
						$52,777. 00
				Radius	Improvements	600. 00
					Total	$53,377. 00
					MTC subsidy	7,877. 00
					Net Total	$45,500. 00

Supplementary Schedule

Street	Side	From	To	Width Existing	Width Proposed	Cost
Colborne	N	Chatham	westerly 118'	4	4	$1850.00
Dundas	N	170' E. of Napier	easterly 111'	4	4	1332.00
Park	S	Helen	easterly 242.5'	4	4.5	3719.00

All the above sidewalks are Type A.

SCHEDULE "C"

MEMORANDUM OF AGREEMENT made in duplicate this 13th day of June, 1977.

BETWEEN:

HOTEL DIEU HOSPITAL
(hereinafter called the "Hospital")

OF THE FIRST PART

THE CORPORATION OF THE CITY OF KINGSTON
(hereinafter called the "City")

OF THE SECOND PART

WHEREAS the Hospital has requested permission from the City to construct a steam line from Queen's University Heating Plant to Hotel Dieu Hospital, as shown on Figure No. 1, prepared by J. D. Lee Engineering Ltd., dated January 27th, 1975;

AND WHEREAS route C as shown on the said plan, which is the route preferred by the Hospital and the City, would cross City park land, certain City streets, and a public laneway;

AND WHEREAS the City considers the operation of a steam line for Queen's University and public hospitals in the City to be in the public interest and by agreement dated September 25th, 1969, granted a license to Queen's University, to install and operate a steam and duct line in and under certain public highways, streets and lands of the City:

THEREFORE the City grants permission to the Hospital to extend the existing steam line from the Queen's Heating Plant to the Hospital along and across public streets as shown as Part 1 and across City Park, the Cricket Field, the public laneway and across Earl Street, William Street, and Johnson Street, as shown on the said Figure No. 1, subject to the following conditions:

1.) That the Hospital will pay all installation and operating costs and will be responsible for the maintenance of the said steam line.

2. That the Hospital shall obtain the approval of the Commissioner of Works and file with the Commissioner of Works, initially, or at any time and from time to time thereafter, prior to the installation of any equipment, complete drawings and other descriptive material sufficient to show the location and method of construction of such equipment and shall obtain the approval of the Commissioner of Works before installing any such equipment.

3.) The Hospital shall install and operate its equipment in

accordance with good engineering practice and in good appearance. Where it becomes necessary to break the surface of any public highway, laneway, or public place, this shall be done under cut permit regulations as set forth in Section 59 of By-Law No. 10, "A By-Law Respecting Streets".

4.) That the Hospital shall design the route to avoid all trees in the City park and the Cricket field.

5.) That the work in the park areas will be carried out during a time of the year that will least interfere with the public use of the parks.

6.) That the Hospital will make arrangements satisfactory to the Commissioner of Works, during the construction period, for traffic movement along the streets and for garbage collection and access to the garages along the public laneway between West Street and Earl Street.

7.) That the Hospital will be responsible for obtaining any necessary easements where the route crosses private property.

8.) In the course of installing and operating its equipment, the Hospital shall take such steps as shall be required to protect and maintain in good working order all Municipal Services and those of other utilities in the said public highways, streets, or other lands of the City and to provide whatever measures are required properly to safeguard the public.

9.) The Hospital does hereby covenant and agree for themselves and assigns to indemnify and save the City harmless from and against any and all claims, demands, causes of action or damages and any other matter whatsoever arising out of or connected in any way with the installation and operation of the equipment under this agreement and the Hospital hereby grants to the City full power and authority to settle any such action, suit, claim and demand on such terms as the City may deem advisable. Provided, however, that should there be a claim, etc., involving liability upon the Hospital, then the City hereby agrees to consult with the Hospital before settling any such claim, etc. The Hospital hereby covenants and agrees with the City to pay to the City on demand all moneys paid by it in pursuance of any such settlement and also such sum as shall represent the reasonable cost of the City or its solicitor in defending or settling any such action, suit, claim or

demand, and this agreement shall not be alleged as a defence by the Hospital in any action by any person for actual damage suffered by reason of the permission hereby granted to the Hospital.

10.) That this agreement may be terminated by either party upon two years' notice in writing to the other party.

11.) In the event of termination of this agreement for any reason, the Hospital shall have, after the date of termination of this agreement, up to six (6) months to remove such conduits and appurtenances as may be required by the Commissioner of Works, the cost of the removal and restoration work to be borne by the Hospital.

12.) In the event of any dispute or disagreement between the parties hereto as to the meaning or interpretation of anything herein contained or as to the performance or non-performance by either of such parties of any of the provisions hereof or as to the respective rights and obligations of the parties hereto hereunder, either of such parties may refer such dispute or disagreement to arbitration.

13.) This Agreement shall be binding upon the benefits and burdens shall enure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors and assigns, and to all the owners of land within the limits of the Corporation of the City of Kingston.

14.) Any notice or other communication required or permitted to be given by this Agreement shall be sufficiently given if sent by registered mail postage prepaid addressed in the case of the Hospital to Hotel Dieu Hospital, Kingston, Ontario, and in the case of the City to the Clerk-Comptroller, the City of Kingston, Kingston, Ontario, and any notice or communication so given shall be conclusively considered to have been given on the business day next following the day on which it is mailed and for the purposes of this clause, Saturdays are conclusively considered not to be business days.

IN WITNESS WHEREOF the Hospital has hereunto affixed its corporate seal attested by the proper signing officers in that behalf and the City has hereunto affixed its corporate seal attested by the Mayor and Clerk-Comptroller in that behalf.

SIGNED, SEALED AND DELIVERED
In the Presence of

HOTEL DIEU HOSPITAL

THE CORPORATION OF THE CITY OF
KINGSTON

(Mayor)

(Clerk-Comptroller)

UNFINISHED BUSINESS

BY-LAWS

(A) That By-Laws 1 to 10 be given their first and second readings.

(B) That Rule 35 of By-Law No. 1 be suspended for the purpose of giving By-Law 9 and 10 their third reading.

(C) That By-Laws 9 to 14 be given their third reading.

(1) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of The Highway Traffic Act" (Clauses 1 and 2, Report No. 61).

(FIRST AND SECOND READING) (PROPOSED NO. 9033)
Clauses 1 and 2, Report No. 61, 1977

(2) A By-Law to Stop Up and Close Queen's Crescent between University Avenue and Alfred Street (Clause 3, Report 61)

(FIRST AND SECOND READING) (PROPOSED NO. 9034)
Clause 3, Report No. 61, 1977

(3) A By-Law to Amend By-Law No. 8499, 'Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston' (Rezone 10 Acres East of Yonge Street and South of King Street, from P Parks, Open Space and Flood Plan (general recreation park), to P.131 Parks, Open Space and Flood Plain (general recreation park)' and to expand uses (Clause 1, Report No. 63)

(FIRST AND SECOND READING) (PROPOSED NO. 9035)
Clause 1, Report No. 63, 1977

(4) A By-Law to Amend the Official Plan of The City of Kingston Planning Area (Amendment No. 90 : Establishment of Heritage Conservation Districts) (Clause 7 (1), Report No. 63)

(FIRST AND SECOND READING) (PROPOSED NO. 9036)
Clause 7 (1), Report No. 63, 1977

(5) A By-Law to Define the Market Square Area as an Area to be Examined for Future Designation as a Heritage Conservation District (Clause 7 (2), Report No. 63)

(FIRST AND SECOND READING) (PROPOSED NO. 9037)
Clause 7 (2), Report No. 63, 1977

(6) A By-Law to Authorize the Construction of a Sanitary Relief Sewer in the North End Trunk Sewer Right-Of-Way (General Rate) (Clause 14, Report No. 65)

(FIRST AND SECOND READING) (PROPOSED NO. 9038)
Clause 14, Report No. 65, 1977

(7) A By-Law to Authorize the Reconstruction of Certain Concrete Sidewalks (General Rate) (Clause 15, Report No. 65)

(FIRST AND SECOND READING) (PROPOSED NO. 9039)
Clause 15, Report No. 65, 1977

BY-LAWS (Cont'd)

(8) A By-Law to Exempt Lots 1 to 16 Inclusive of Registered Plan No. 1688, (Mastercraft Construction Limited) From the Provisions of Section 29 (4) of The Planning Act (Par Lot Control) (Clause 9, Report No. 63)

(THREE READINGS) (PROPOSED NO. 9040)
Clause 9, Report No. 63, 1977

(9) A By-Law to Authorize Execution of an Agreement with the Mayor and Clerk-Comptroller (Ontario Home Renewal Program Rental Agreements - Authorization) (Clause 6, Report No. 65)

(THREE READINGS) (PROPOSED NO. 9041)
Clause 6, Report No. 65, 1977

(10) A By-Law to Confirm the Proceedings of Council at Its Meeting Held on June 13, 1977.

(THREE READINGS) (PROPOSED NO. 9042)
City Council Meeting No. 16

(11) A By-Law to Authorize the Execution of an Agreement with Beaufort Realties (1964) Inc., for the Acquisition of Certain Lands (32 Acres + 100 Foot Strip - Bath Road and Little Cataraqui Creek Area).

(THIRD READING) (PROPOSED NO. 8909)
Clause 1, Report No. 93, 1976

(12) A By-Law to Amend By-Law No. 7526, "A By-Law to Authorize the Construction of Improvements on Brock Street, Johnson Street, Palace Road and Sir John A. MacDonald Boulevard" (Increased Cost).

(THIRD READING) (PROPOSED NO. 8996)
Clause 3, Report No. 33, 1977

(13) A By-Law to Authorize Extensions and Improvements to the Natural Gas System in the City of Kingston in the Amount of $50,000.00.

(THIRD READING) (PROPOSED NO. 9018)
Clause 12, Report No. 47, 1977

(14) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of the Highway Traffic Act" (Clauses 8 and 9, Report No. 58).

(THIRD READING) (PROPOSED NO. 9029)
Clauses 8 and 9, Report No. 58, 1977

MOTIONS

(1) Moved by Ald. Webb,
Seconded by Ald. Breen,

That congratulations be extended to the Honourable Keith Norton on his re-election to Parliament as a member of Kingston and the Islands.

Local Govt.

CITY COUNCIL MEETING NO. 16

The Regular Meeting of City Council was held in the Council Chamber at City Hall on Monday, June 13th, 1977, at 8:05 P.M.

ROLL CALL

Mayor Keyes, Ald. Allmark, Ald. Breen, Ald. Clements, Ald. French, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Mackenzie, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb. (15)

Mayor Keyes introduced David Bennett who had been selected, by the Whig-Standard, as Assistant to the Mayor on the basis of his essay, "What I Would Do If I Were Mayor of Kidsville". David had spent the day discussing civic problems with City officials.

TABLING OF DOCUMENTS

MINUTES

Moved by Ald. Timmins,
Seconded by Ald. Webb,

That the Minutes of City Council Meeting No. 15, held on May 24, 1977 be adopted as printed.

CARRIED

COMMUNICATIONS

Council consented to the addition of Communications 382 to 385 which had been summarized and distributed.

Filed

(335) From the Kingston and District Association for the Mentally Retarded, a letter of thanks for a cheque in the amount of $1,000 from the City.

(336) Minutes of the Kingston Tourist & Visitors' Bureau Meeting on Tuesday, May 10, 1977.

(337) From the Solicitor General of Canada thanking members of Council for their support of the proposed reception centre in Kingston.

(338) From The Canadian National Institute for the Blind thanking Mayor Ken Keyes and the members of City Council for the cheque in the amount of $3,000 which represents the 1977 Grant.

(339) From St. Mary's of the Lake Hospital thanking members of Council for the cheque in the amount of $10,000.00 fulfilling the City's pledge of $10,000.00 per year for 10 years to assist this hospital.

COMMUNICATIONS (Cont'd)

Which Had Been Referred to the City of Kingston Planning Board

(340) From Mr. and Mrs. Venasse Renaud, 196 Ordnance Street, supporting the new Zoning By-Law No. 9016 for the rebuilding of the funeral home at the corner of Clergy and Colborne Streets.

(341) From Mrs. Beatrice O'Brien, 387 Barrie Street, supporting the new Zoning By-Law No. 9016 for the rebuilding of the funeral home at the corner of Clergy and Colborne Streets.

(342) From Ms. Vada Leishman, 52 Colborne Street, supporting the new Zoning By-Law No. 9016 for the rebuilding of the funeral home at the corner of Clergy and Colborne Streets.

Which Had Been Referred to the Finance and Accounts Committee

(343) From the Executive and members of the Little Cataraqui Environment Association supporting the purchase of the Pine Woods and adjacent area along the Little Cataraqui Creek.

Filed

(344) From Canadian Mental Health Association thanking members of Council for the Grant of $200.00.

Referred to the Parks and Recreation Committee

(345) From the Upper Canada Pageant, whose members will be visiting Great Britain in August, requesting a City of Kingston flag for presentation at Queen's Silver Jubilee events in England along with other donated City Flags.

Filed

(346) Statement of Revenue & Expenditures for the period ending March 1977 of the Public Utilities Commission of the City of Kingston Transit Department.

(Note: Copies have been distributed to all members of Council.)

Which Had Been Referred to the City of Kingston Planning Board

(347) Application by the City of Kingston for zone change of Lots 1-11, Reg. Plan #54 (Portsmouth Olympic Harbour) from P (General Recreation) Park and OS 3 (Harbour Open Space) By-Law 8499 to "P" - modified to permit 10,000 sq. ft. of Commercial space within the existing bldg. in order to generate the necessary revenue to support the entire complex.

(348) Application by the City of Kingston for Official Plan Amendment of Lots 1-11, Reg. Plan # 54 (Portsmouth Olympic Harbour) to permit some marine oriented Commercial uses.

(349) From Dorothy Geiger objecting to By-Law No. 8995, Kingston Yacht Club Zoning.

COMMUNICATIONS (Cont'd)

Filed

(350) From Consumers' Association of Canada thanking City Council for the grant of $230.00.

(351) Minutes of the Executive of the Cataraqui Region Conservation Authority held on May 18th, 1977.

(352) Minutes of a General Meeting of the Cataraqui Region Conservation Authority held on May 18th, 1977.

(353) Minutes of the Executive of the Cataraqui Region Conservation Authority held on May 11th, 1977.

(354) From Ontario Municipal Board the City's capital works 1977 quota of $2,536,200 has been approved and advising that applications for approval of specific projects up to $2,536,200.00 total must still be made for each undertaking before any action is taken, beyond preparation of plans and specifications, and the calling of tenders.

Which Had Been Referred to the City of Kingston Planning Board

(355) From Jack Campbell and T. Edmond Wright, 422 Elmwood Street, an application for zone change of Park Lot 4, West of the Great Cataraqui River at 783-785 Division Street to Commercial from M6 Industrial.

Which Had Been Referred to Community Services Committee

(356) From The Regional Municipality of Waterloo the following resolution for Council's consideration:

> *IN THE MATTER OF the Regional Municipality of Waterloo indicating its grave concern regarding Psi Mind Development Institute Ltd. organization activities to the Premier of Ontario, the Ministry of Consumer and Commercial Affairs and the Attorney General and urging the Ministry of Health to thoroughly investigate said Psi activities;*
>
> *WHEREAS the methods used by Psi Mind Development Institute Ltd., in their courses, appear to be those that should be administered by persons with specific professional training and qualifications;*
>
> *AND WHEREAS evidence is lacking that such qualified persons are employed by Psi in the actual running of their courses;*
>
> *AND WHEREAS there have been reported well-documented cases of acute severe mental breakdown requiring hospitalization appearing at the time or shortly following said Psi courses;*
>
> *AND WHEREAS the Council of the Regional Municipality of Waterloo has requested that the Psi Mind Development Institute Ltd. organization be thoroughly investigated to see that no laws relating to human rights, reporting of income, advertising claims, pyramid sales, etc. are being violated;*

COMMUNICATIONS (Cont'd)

Which Had Been Referred to Community Services Committee (Cont'd)

(356) (Cont'd)

> *NOW THEREFORE BE IT RESOLVED THAT the Regional Municipality request endorsation and support of all municipalities in Ontario to exert pressure on the Government of Ontario in an attempt to suspend operation of Psi Mind Development Institute Ltd. organization in the Province of Ontario and that this resolution be forwarded to the Premier of Ontario, the Ministry of Consumer and Commercial Affairs, the Attorney General and the Ministry of Health for their information and appropriate action.*

Which Had Been Referred to City of Kingston Planning Board

(357) From Mr. & Mrs. F. Boyce, 164 Clergy Street East, supporting the new Zoning By-Law No. 9016 for the rebuilding of the funeral home at the corner of Clergy and Colborne Streets.

(358) From Mr. William Pelow, 175 Clergy Street East, supporting the new Zoning By-Law No. 9016 for the rebuilding of the funeral home at the corner of Clergy and Colborne Streets.

(359) From Speal & Viner notification that the Plan of Re-subdivision was formally registered on May 31st, 1977 as Registered Plan No. 1688 and requesting that a By-Law be passed to exempt these lands from Section 29 of the Planning Act in order that each half of the Lot could be sold as individual transactions.

Filed

(360) From The Ministry of Treasury, Economics and Intergovernmental Affairs to the Corporation of the City of Oshawa for their endorsement of the City of Kingston's requested amendment to The Municipal Act to authorize temporary street closings for purposes of undertaking sewer and watermain projects.

(361) From The Ministry of Treasury, Economics and Intergovernmental Affairs to the Corporation of the City of Kingston for their amendment to The Municipal Act to authorize temporary street closings for purposes of undertaking sewer and watermain projects.

Referred to the Housing Subcommittee

(362) Address by Jean-Robert Gauthier, M.P., Parliamentary Secretary to The Honorable André Ouellet, Minister of State for Urban Affairs to the Joint National Annual Congress of Engineering on May 17, 1977.

Referred to Finance and Accounts Committee

(363) From Kingston, Frontenac and Lennox and Addington Health Unit the following resolution approved by their board at a meeting held on May 31, 1977:

COMMUNICATIONS (Cont'd)

Referred to Finance and Accounts Committee (Cont'd)

(363) (Cont'd)

> *"..... that the City of Kingston be informed that the Kingston, Frontenac and Lennox and Addington Health Unit board are in receipt of a letter, dated March 21, 1977, from Mr. McKibbin, raising the question of remuneration by the board of health to its aldermanic representatives from the City of Kingston, and that the board of health has also received a communication from its solicitor in this regard. Based on a review of this correspondence, it is the board of health's opinion, at this point in time, that as an independent body the board feels it to be its responsibility to continue to pay honoraria according to its statutes."*

Filed

(364) From The Frontenac County Board of Education informing that they have provided copies of Report No. 54 of the City of Kingston Planning Board re: Proposed Closing of Central Public School and MacDonald Public School to each member of the Board and their decision on May 26 to reconsider the resolution.

(365) From The Canadian Cancer Society, Quinte-Thousand Island District, expressing their appreciation to City Council for passing the resolution on April 12th, 1977, that the Canadian Cancer Society be permitted to use three rooms at the Portsmouth Olympic Harbour on May 28, at no charge, for a District Meeting.

(366) Copies of *"Background"* dated May 20, 1977 and May 27, 1977 from the Honourable Darcy McKeough, Treasurer of Ontario.

(Note: Copies have been distributed to all members of Council.)

(367) Copy of *"Ontario Economic Council Research Studies"*.

(Note: Copies have been distributed to all members of Council.)

(368) Copy of *"Directory of Governments in Metropolitan Toronto 1977-78"* from the Bureau of Municipal Research.

(Note: Copies have been distributed to all members of Council.)

(369) Registration form for the Spring Conference of the C.P.A.C. Ontario Division, to be held on June 19, 20, 21, 1977 in Chatham, Ontario.

(Note: Copies have been distributed to all members of Council.)

Referred to Community Services Committee

(370) From the Ministry of the Environment a copy of the proposed noise control by-law of the City of Hamilton.

COMMUNICATIONS (Cont'd)

Referred to Community Services Committee (Cont'd)

(371) From The Ministry of Government Services, Property Management Branch, requesting Council to grant a further extension of the Property Standards Order issued against the Mowat Avenue properties until August 31, 1977.

(372) From The Ministry of Community and Social Services re: Municipal Payments on Court Orders Under Juvenile Delinquents Act (Canada), expressing concern developed around two main items listed below:

1. Provincial cost sharing in what is a rapidly growing Municipal cost, and
2. The decision of the Supreme Court of Ontario which in effect denies the right of the Juvenile and Family Court Judge to commit a child directly into a group home.

On the first point, the Province of Ontario will share in the Municipal costs under these Orders to a level of 50% of the expenditures effective from April 1, 1977 to March 31, 1978.

On the second point, payments made on existing Orders will continue to be valid for subsidy claims and will continue to be treated as valid, so long as those Orders are subsisting.

The Province of Ontario has instituted an appeal against the decision of the Supreme Court of Ontario based on a need to clarify fully, the status of the child in relation to the Family Court and to the Child Welfare authorities and is awaiting an early decision relative to the appeal.

(373) From the City of Owen Sound requesting endorsation of the following resolution:

> *"WHEREAS by virtue of section 466 (2) of The Municipal Act, municipalities were granted a one year period within which to commence proceedings to enforce contraventions of Building By-laws passed under section 38 of The Planning Act; and*
>
> *WHEREAS by virtue of section 23 (1) of The Ontario Building Code Act, 1974 it is provided that everyone who contravenes any provision of the Act is guilty of an offence and on summary conviction is liable to a fine; and*
>
> *WHEREAS The Summary Convictions Act provides that no proceeding shall be instituted more than six months after the time when the subject matter of the proceedings arose; and*
>
> *WHEREAS it is deemed expedient, desirable and necessary to provide a one year period within which to commence proceedings to enforce a contravention of The Building Code Act and Regulations.*
>
> *NOW THEREFORE BE IT RESOLVED THAT the Province of Ontario be requested to amend The Building Code Act, 1974 to provide that proceedings to enforce a contravention of the Code may be initiated within one year after the time of the contravention and that imprisonment may be for a term of not more than six months; and*

COMMUNICATIONS (Cont'd)

Referred to Community Services Committee (Cont'd)

(373) (Cont'd)

> *FURTHER THAT a copy of this resolution be forwarded to The Honourable S.B. Handleman, Minister of Consumer and Commercial Relations, Mr. E. Sargent, M.P.P. Grey-Bruce, all Ontario Cities and the Association of Municipalities of Ontario."*

Referred to the Transportation Committee

(374) From the Public Utilities Commission of the City of Kingston, requesting City approval for the location of a bus shelter at the Kingston General Hospital on Stuart Street and also approval for a bus stop on the south side of Stuart Street from George Street 80 feet westerly to serve this shelter.

Referred to Parks & Recreation Committee

(375) From Ministry of Culture and Recreation a CONDITIONAL COMMITMENT for financial assistance in the amount of $58,500 from Wintario for the development of tennis court complex along with the conditions of this commitment, the procedures for applying for FINAL APPROVAL, and the methods of payment.

Filed

(376) From The Ministry of the Environment thanking the City for comments in response to the "Report of the Municipal Working Group, Recommendations for the Designation and Exemption of Municipal Projects under The Environmental Assessment Act" and informing the City that the deadline for receipt of comments has been extended to June 30, 1977 and formal action will not be taken until that time.

(377) Copy of *"Newsletter"* dated May, 1977, No. 2 from The Ministry of Consumer and Commercial Relations.

(378) From Mrs. Marion W. Hardtman objecting to the closing of the portion of Bagot Street between Barrie Street and West Street.

(379) From Transport Canada notifying that they will be reviewing Waterfront - Street Ends as expeditiously as possible.

Referred to the Transportation Committee

(380) From the Public Utilities Commission approving in principle Phase II as outlined in the memorandum to the Commission re: Bus Routes North of Weller Avenue and informing that the Public Meeting will now be held at St. Matthew's United Church Hall, 31 Weller Avenue at 7:30 P.M. on Wednesday, June 29th, 1977.

COMMUNICATIONS (Cont'd)

Referred to the City of Kingston Planning Board and to the Mayor's Waterfront Committee

(381) Copy of a letter received by the City of Kingston from Transport Canada to Mrs. Irene Mooney as follows:

> *"We have received your letter of May 19, 1977 and advise as follows:*
>
> *The document dated December 22, 1976 in favour of Davis Properties was issued under section 5(2) of the Navigable Waters Protection Act, exempting the work proposed from approval of the Minister. Under this particular section of the Act there is no requirement to advertise the intended "work".*
>
> *With respect to the "filling" mentioned in your letter our inspection revealed that earth fill has been dumped along the shoreline in the area immediately south of Cataraqui Street. Unfortunately this office was not aware of this work. Steps are being taken to notify the owner of the requirements of the aforementioned statute.*
>
> *We wish to thank you for bringing this matter to our attention."*

PETITIONS

REPORTS

Ald. Miller presented Report No. 60 of the Community Services Committee as follows:

Moved by Ald. Miller,
Seconded by Ald. Tarnowecky,

That Report No. 60 of the Community Services Committee be received and adopted clause by clause.

REPORT NO. 60

May 26, 1977.

To the Mayor and Members of Council:

The Community Services Committee reports and recommends as follows:

1. That the following resolution from the Corporation of the City of Cambridge BE ENDORSED:

REPORTS (Cont'd)

Report No. 60 - Community Services Committee (Cont'd)

1. (Cont'd)

"THAT WHEREAS a great number of community projects may be curtailed or postponed due to the current economic climate;

AND WHEREAS the Province of Ontario has indicated proceeds from the Provincial Lottery would be directed towards health research and health related environmental projects;

AND WHEREAS no guidelines have been announced by the Province of Ontario as to what will constitute health research or health related environmental projects;

AND WHEREAS certain community projects might qualify and be proceeded with, through the assistance of funds received from the Provincial Lottery, if guidelines were clarified;

NOW THEREFORE BE IT RESOLVED that the Province of Ontario, through the appropriate Ministry, be requested to immediately release guidelines respecting the distribution of Provincial Lottery funds.".

CARRIED

2. That the following resolution of the City of Guelph be endorsed:

"THAT the Federal and Provincial Governments be urged to take what action is necessary, including if need be, the presentation of legislation to ban the importation, manufacture, sale and distribut of the 'Death Race' game and other games that have a similar objective.

CARRIED

3. THAT WHEREAS the City of Kingston By-law regulating the hours of car washes was passed under authority of Section 354 of the Municipal Act, R.S.O. 1970, as amended;

AND WHEREAS in November, 1976, the High Court of Justice ruled that the by-law of Metropolitan Toronto that regulated hours of operation of car washes was invalid and that hours of operation can only be regulated for shops as set forth in Section 355 of the Municipal Act;

AND WHEREAS the City Solicitor reports that three charges for operating car washes after the hours permitted by the City of Kingston by-law have been dismissed;

THEREFORE BE IT RESOLVED that a resolution be forwarded to the Provincial Government requesting an amendment to the Municipal Act, R.S.O. 1970, as amended, to provide for the regulation of hours of operation of car washes and further that this resolution be forwarded to other municipalities and to the Association of Municipalities for endorsation.

CARRIED

4. That the following resolution of the Townships of Shackleton & Machin be endorsed:

"WHEREAS the Corporation of the Townships of Shackleton and Machin is concerned about the adverse effects of the non-medical use of drugs on the health of the citizens of Canada and in particular on the health of the citizens of the municipality;

AND WHEREAS the Corporation of the Townships of Shackleton and Machin wishes to voice its opposition to any attempt to change existing legislation in relation to the non-medical use of drugs;

REPORTS (Cont'd)

Report No. 60 - Community Services Committee (Cont'd)

4. (Cont'd)

BE IT RESOLVED THAT:

The Corporation of the Townships of Schackleton and Machin hereby declare that it opposes any amendments to The Narcotic Control Act, R.S.C. 1970, Chapter N-1, as amended, in relation to the legalization of or lessening of criminal sanctions for the possession, trafficking, importing or cultivation of marihuana.".

LOST 6:9

(Ald. Clements opposed)

5. That, as recommended by the Transportation Committee, By-Law No. 8, "A By-Law to Provide for the Licencing and Regulation of Dogs and Cats and for the Control of Animals Suspected of Having Rabies" be amended as follows:

   a) Urination be included in the regulation regarding dogs defecating on any property other than the property of its owner.

   b) That the fine for dog owners permitting such dog to attack any person be increased from $10 to $25.

   c) That the violation tickets be prepared in duplicate instead of triplicate.

CARRIED

6. That a resolution be forwarded to the Provincial Government requesting an amendment to the "Dog Licencing and Live Stock and Poultry Protection Act" to provide that:

   a) The fee for owners of kennels with purebred dogs be increased from $25 to at least $50 per year.

   b) That the meaning of a dog at large not under control of any person should be amended to include "by means of a leash".

   and that this resolution be forwarded to the Association of Municipalities and to other municipalities for their endorsement.

CARRIED

7. WHEREAS, the Honourable W. Darcy McKeough, Treasurer of Ontario has sent a copy of Bill No. 67, "An Act to Amend the Municipal Act" for the information of the members of council and has requested comment on it;

   AND WHEREAS the proposed Bill has been reviewed;

   THEREFORE THE PROVINCIAL TREASURER be notified that the Council of the Corporation of the City of Kingston supports the proposed amendments as set out on the attached Schedule "A" but requests that amendments be made to the Housing Development Act to insert the word "building development" in Section 6 (5) after the words "joint housing project" in line fourteen, and to Section 4 (2) (n) of Bill 67 to refer to Section 6 (5) of the Housing Development Act, as amended.

   (Note: These proposed amendments are necessary to provide authority for municipalities to borrow funds for their share of a neighbourhood improvement plan.)

CARRIED

REPORTS (Cont'd)

Report No. 60 - Community Services Committee (Cont'd)

Respectfully submitted,

(SIGNED)
Lois Miller (Chairman)
V. Tarnowecky
B. Breen
John Clements
Neil McArthur

* * *

SCHEDULE "A" TO REPORT NO. 60

BILL 67 - AN ACT TO AMEND THE MUNICIPAL ACT

The following changes to the Municipal Act are contained in Bill No. 67:

1. Amendment to Section 1, Section 38

Section 38 of the Act sets out the circumstances under which the seat of a member of council becomes vacant.

This amendment is designed to make it clear that death creates a vacancy if it occurs prior to accepting office and taking the prescribed declarations.

2. Amendment to Section 198 and Section 388 (1)

These amendments provide that a council of a municipality may pass by-laws for the payment of its members of a per diem rate for attendance at meetings related to municipal business, but the payment for attendance at which is not otherwise authorized under The Municipal Act or any other general of special Act.

3. Amendment to Section 245

This amendment provides that the fiscal year for municipal hospitals shall be the fiscal year of a public hospital as prescribed under The Public Hospitals Act i.e. being the 1st day of April to the 31st day of March. Dates are also set out for the submission of estimates, annual reports and statements.

4. Amendment to Section 293

This amendment provides that the assent of the electors is not required to a by-law passed pursuant to Section 16 of the Housing Development Act respecting the acquisition of land for housing purposes or for providing money for the paving or repaving of highways and the construction, reconstruction or reflooring of bridges.

5. Amendment to Section 354(1)

This amendment provides that a municipality may pass a by-law for adopting and participating in an emergency fire service plan and program established by the fire co-ordinator of a regional, district or metropolitan municipality, or district fire co-ordinator.

Report No. 60 - Community Services Committee (Cont'd)

Schedule "A" to Report No. 60 (Cont'd)

6. Repeal Section 455 and add a new Section 455

This amendment provides for a extension from five years to ten years as the period which moneys borrowed for the purchase of roadmaking machinery may be repaid.

7. Repeal Subsection 10 of Section 527 and add a new Section

This amendment provides that where part payment of taxes due for any year are received, after crediting the payment first on account of interest and penalty charges if any, the remainder is to be credited firstly against those instalments longest overdue.

8. Repeal Section 542

This amendment is necessary because of Change to Subsection 10 of Section 527.

Ald. Gerretsen presented Report No. 61 of the Transportation Committee as follows:

Council consented to an amendment to Clause 3 to delete the word "Alfred" and substitute "Albert".

Moved by Ald. Gerretsen,
Seconded by Ald. Clements,

That Report No. 61 of the Transportation Committee be received and adopted clause by clause.

REPORT NO. 61

May 25, 1977

To the Mayor and Aldermen:

The Transportation Committee reports and recommends as follows:

1. That parking be prohibited on the east side of Gilmour Avenue from Elmwood Street south to the end of Gilmour Avenue, 9:00 a.m. - 4:00 p.m. Monday to Friday inclusive.
CARRIED

2. That the prohibition of parking on the east side of Alfred Street from Mack Street to Brock Street 10:00 a.m. - 11:00 a.m. and 2:00 p.m. - 3:00 p.m. be removed.
CARRIED

3. That, as requested by Queen's University, a portion of Queen's Crescent between University Avenue and Albert Street be temporari closed from July 1st to December 31st, 1977 by placing large square blocks across Queen's Crescent as shown on the submitted plan. This closure would be at the expense of Queen's University and would be subject to the following conditions:

REPORTS (Cont'd)

Report No. 61 - Transportation Committee (Cont'd)

a) Queen's University will snow plough and street clean the entire block between University Avenue and Albert Street.

b) Two blocks be placed at least 9 feet apart and connected by a chain for fire access.

CARRIED AS AMENDED 9:6

4. That the Kingston Tourist and Visitor's Bureau be permitted to erect information signs 6 ft x 8 ft at the following locations:

a) Montreal Street North
b) Division Street North (to replace present sign)
c) Princess Street by the Ambassador Motor Inn (to replace present sign)
d) Bath Road near the bridge
e) Ontario Street near the LaSalle Causeway (to replace present sign)

and also be given permission to place small aluminum signs 2 ft x 3 ft at the following locations:

a) Montreal Street at Princess Street
b) Division Street at Princess Street
c) Bath Road at Traffic Circle
d) Princess Street at Ontario Street
e) Bath Road at Sir John A. MacDonald Blvd.
f) Princess Street at Sir John A. MacDonald Blvd.
g) Princess Street at Seaway Town House
h) Princess Street at Division Street
i) Princess Street at Montreal Street

CARRIED

Respectfully submitted

(SIGNED)

J.P. Gerretsen (Chairman)
John Clements
T.D. French
Y. Tarnowecky
G.L. Webb

* * *

Ald. Matthews presented Report No. 62 of the Parks and Recreation Committee as follows:

Moved by Ald. Matthews,
Seconded by Ald. Gorham,

That Report No. 62 of the Parks and Recreation Committee be received and adopted clause by clause.

REPORTS (Cont'd)

Report No. 62 - Parks and Recreation Committee (Cont'd)

Parks and Recreation Report No. 62

May 26, 1977

To the Mayor and Aldermen

The Parks and Recreation Committee recommends as follows -

1. That permission be given to The Limestone Golden Years Club to amend their Constitution to lower the age limit from 60 to 55 years.

CARRIED

2. That, since it has been established that the location of the City-owned tree at 320 Rideau St makes it necessary for the Owner, when approaching his driveway from the north, to encroach upon the north bound traffic lane and to encroach upon the adjoining property in order to obtain access to his driveway, and since the removal of the tree at the Owner's expense has been authorized for the above reasons, the charge, in the approximate amount of $5400.00, that would normally be made under the provisions of By-law No.7936 - A By-law to Establish a Reserve Fund for the Replacement of Trees - be waived.

CARRIED
(Ald. Breen and Ald. Allmark opposed)

Respectfully submitted,

(SIGNED)

K.W. Matthews (Chairman)
M.B. Gorham
G. Allmark
T.D. French
D.G. Timmins

* * *

Ald. Mackenzie presented Report No. 63 of the City of Kingston Planning Board as follows:

Ald. Timmins abstained from voting on Clause 3 since he was an employee of Alcan Canada Products Limited.

Ald. Webb requested a division on Paragraph 1 in Clause 7.

Clause 7 was amended by the insertion of the word "possible" before the word "future" in line 2, paragraph 2.

Council consented to the deletion of the figure "13th" in the final paragraph of Clause 8 and the substitution of the figure "20th".

REPORTS (Cont'd)

Report No. 63 - City of Kingston Planning Board (Cont'd)

Moved by Ald. Mackenzie,
Seconded by Ald. Clements,

That Report No. 63 of the City of Kingston Planning Board be received and adopted clause by clause.

REPORT NO. 63

June 7, 1977

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. WHEREAS it is proposed by the Parks and Recreation Committee of the City of Kingston to lease up to 10,000 square feet of floor space in the Portsmouth Olympic Harbour building at 53 Yonge Street for compatible commercial or institutional uses, and

WHEREAS Zoning By-Law #8499 places the park in a P General Recreation Park which does not allow the uses proposed, and

WHEREAS the Official Plan policy for Portsmouth Olympic Harbour Park allows for private enterprise to lease from the City, and

WHEREAS in the opinion of Planning Board leasing to compatible commercial or institutional uses on a limited basis would not be incompatible with prime function of the site as park-marina;

THEREFORE BE IT RESOLVED that By-Law #8499 be amended as follows:

1) By amending Zoning Map No. 29 so as to rezone the approximately 10± acre parcel of land located east of Yonge Street and south of King Street, as shown on a copy of Zoning Map No. 29 which is attached hereto as Schedule 'A', from P Parks, Open Space and Flood Plain (general recreational park), to P.131 Parks, Open Space and Flood Plain (general recreation park).

2) By adding as section 131 the following:

"131. On the approximately 10 acre parcel of land located on the east side of Yonge Street south of King Street and designated P.131 on Zoning Map No. 29 attached to and forming part of By-Law 9035 as Schedule 'A', the permitted uses shall also be:

a) offices for or in connection with a business, profession or government service;

b) retail sales of marine supplies, excluding foodstuffs and drug sundries;

c) ship chandlers;

REPORTS (Cont'd)

Report No. 63 - City of Kingston Planning Board (Cont'd)

d) community schools, and educational classes or courses given under the jurisdiction of a university community college or board of education;

e) social or recreational clubs or groups;

f) the total building floor to be occupied by a), b) and c) above shall not exceed a total of 10,000 square feet to be confined within the Olympic Harbour building."

CARRIED

2. That Council does hereby certify that By-Law No. 9035, "A By-Law to Amend By-Law No. 8499, 'Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston' (Rezone 10 Acres East of Yonge Street and South of King Street, from P Parks, Open Space and Flood Plain (general recreation park), to P.131 Parks, Open Space and Flood Plain (general recreation park)' and to expand uses, is in conformity with the Official Plan approved and in force in the City of Kingston.

CARRIED

3. That the following plans, submitted by Alcan Canada Products Limited, for a 50 feet high, 8,500 square feet addition on the north side of the existing laboratory facilities located in the southeastern section of the Alcan site:

Drawing 1, Fresh Water Supply, Kingston Research Centre; Dated May 6, 1977;

Drawing 2, Proposed Building #46, dated May 5, 1977

Drawing AD 1250-67-3-103, Finish Floor and Concrete Details, Dated April 13, 1977;

Drawing AD 1250-67-5-001, Plans and Elevations, Dated April 20, 1977

be approved, as recommended by the Site Plan Committee and the Technical Planning Committee, subject to the applicant entering into a development control agreement.

CARRIED

4. That the following plans, submitted by Bell Canada Limited, for a second storey, 7,500 square feet addition, fronting on Garrett Street and containing 0.9 acres ±:

Drawing 76005-A1, Site Plan & Details, dated January, 1977

Drawing 76005-A2, Partial Floor Plan & Details, dated January, 1977;

Drawing 76005-A3, Partial Second Floor Plan, dated January, 1977;

Drawing 76005-A4, Elevations, dated January, 1977;

Drawing 76005-A5, Building Sections, dated January, 1977

be approved, subject to the applicant entering into a development control agreement which shall include the following conditions:

a) that the development be in accordance with the above listed plans;

REPORTS (Cont'd)

Report No. 63 - City of Kingston Planning Board (Cont'd)

4. (Cont'd)

b) submission of a landscaping plan to be approved by the City.

CARRIED

5. That the following plans, submitted by Dacon Corporation Limited, for a six-storey, 72-unit apartment building at Princess Street and Sir John A. MacDonald Boulevard:

Perspective		April, 1977
Plan #1	Site Plan	July 20, 1976
Plan #4	Elevations	March, 1977
Plan G-1	Underground Garage	Amended May, 1977
Plan #2	Grading and Servicing Plan	Amended May, 1977

be approved, subject to the applicant entering into a development control agreement which shall include the following conditions:

a) that the development be in accordance with the above listed plans;

b) that a ramp or depression be built to allow left turn movements by fire emergency vehicles across the dividing median in Sir John A. MacDonald Boulevard opposite the entrance to the site, subject to the approval of the Transportation Committee;

c) that fire vehicle access routes to the satisfaction of the Fire Department be supplied;

d) plans showing elevations of the parking structure shall be submitted for City approval;

e) a retaining wall of 36"± or terraces shall be built along the Sir John A. Macdonald Boulevard frontage subject to design approval by the City;

f) storm water drainage from paved areas shall be rearranged to meet City requirements;

g) submission of a landscaping plan to be approved by the City.

CARRIED
(Ald. Hawkins opposed)

6. That the plans submitted by Gordon F. Tompkins, for a two-storey funeral home with a ground floor area of 5,076 sq. ft. at Colborne Street and Clergy Street:

Drawing No. SK-1, Plans & Elevations, December 10, 1976

Drawing No. SK-3, Site Plan, March 18, 1977

be approved, subject to the applicant entering into a development control agreement which shall include the following conditions:

a) that development be in conformity with the above listed plans;

b) that any external lighting shall be subject to the approval of the City;

REPORTS (Cont'd)

Report No. 63 - City of Kingston Planning Board (Cont'd)

6. (Cont'd)

c) *that any exterior air conditioning units be be subject to the approval of the City.*

CARRIED 15:0
(Ald. Webb requested vote - all members in favour)

7. WHEREAS on February 25, 1976, the Ontario Heritage Foundation approved a grant of $3000.00 to the City of Kingston for a pilot study of the Market Square Area preparatory to its designation as a Heritage Conservation District under The Ontario Heritage Act, 1974; and

WHEREAS Lily Inglis, Architect was appointed by Council on December 13, 1976 to prepare the Market Square Study; and

WHEREAS it is a requirement under the Act that the City shall have approved an amendment to its Official Plan which provides for the establishment of heritage conservation districts and shall have passed a by-law to define the study area; and

WHEREAS the Local Architectural Conservation Advisory Committee has recommended approval of such an Official Plan amendment and by-law,

BE IT RESOLVED that -

1) The Official Plan be amended to provide for the establishment of heritage conservation districts as described in Appendix 'A' attached to the Agenda for Meeting No. 14 of the City of Kingston Planning Board.

(Ald. Webb requested a division on Paragraphs 1 & 2)
CARRIED 11:3

2) A by-law be passed to define the Market Square Area as an area to be examined for possible future desig nation as a heritage conservation district as described in Appendix 'B' attached to the Agenda for Meeting No. 14 of the City of Kingston Planning Board.

The area to be examined shall consist of those properties on Brock, King and Market Streets facing the Market Square, as shown on the attached plan.

CARRIED AS AMENDED
(Ald. Webb opposed)

8. WHEREAS the City of Kingston is the owner of a strip of land connecting Glengarry Road and Inverness Crescent; and

WHEREAS on December 7, 1976 Planning Board recommended and Council subsequently approved the quit claiming of the following properties:

a) the easterly 5' of lot 83, registered plan 1390,
b) the westerly 5' of lot 82, registered plan 1390,
c) the westerly 7.5' of Block 'F', registered plan 1615,
d) the easterly 7.5' of Block 'F', registered plan 1615,

The quit claim shall be subject to the following conditions:

REPORTS (Cont'd)

Report No. 63 - City of Kingston Planning Board (Cont'd)

8. (Cont'd)

a) that all four lot owners agree to accept ownership of the land,

b) that all existing easement rights of the Public Utilities Commission are retained,

c) that quit claim include a clause prohibiting the lands from being used for tree planting or permanent structures,

and,

WHEREAS the owner of Lot 126 Registered Plan 1615 has not yet agreed to assume ownership of half the strip subject to the aforementioned conditions and the owner of Lot 125 has agreed to accept title to the whole strip between Lots 125 and 126 with the restrictions,

THEREFORE BE IT RESOLVED that if the owner of Lot 126 Registered Plan 1615 agrees in writing not later than Monday, 20th June, 1977 to accept quit claim for the 7.5' strip along the westerly portion of Block 'F' Registered Plan 1615, then such portion be quit claimed to the owner of Lot 126 subject to the conditions previously approved by Council; and

BE IT FURTHER RESOLVED that if the owner of Lot 126 fails to agree to assume ownership of the strip hereinbefore described, the entire strip between Lots 125 and 126 be quit claimed to the owner of Lot 125 subject to the following conditions:

1) that all existing easement rights of the Public Utilities Commission are retained,

2) that quit claim include a clause prohibiting the lands from being used for tree planting or permanent structures.

CARRIED AS AMENDED

9. WHEREAS Mastercraft Construction Limited has requested that Lots 1 to 16 of Registered Plan No. 1688 be exempted from Part Lot Control so that the sale of half lots for semi-detached dwellings will not require the consent of the Committee of Adjustment; and

WHEREAS the Board is of the opinion that Part Lot Control is not necessary for this subdivision which has been designed in conformity with the R2 provisions of By-Law #8402;

THEREFORE BE IT RESOLVED that a by-law be passed pursuant to section 29(5) of the Planning Act, to exempt lots 1 to 16, inclusive, of Registered Plan No. 1688 from the provisions of Section 29(4) of the Planning Act (Part Lot Control).

CARRIED

REPORTS (Cont'd)

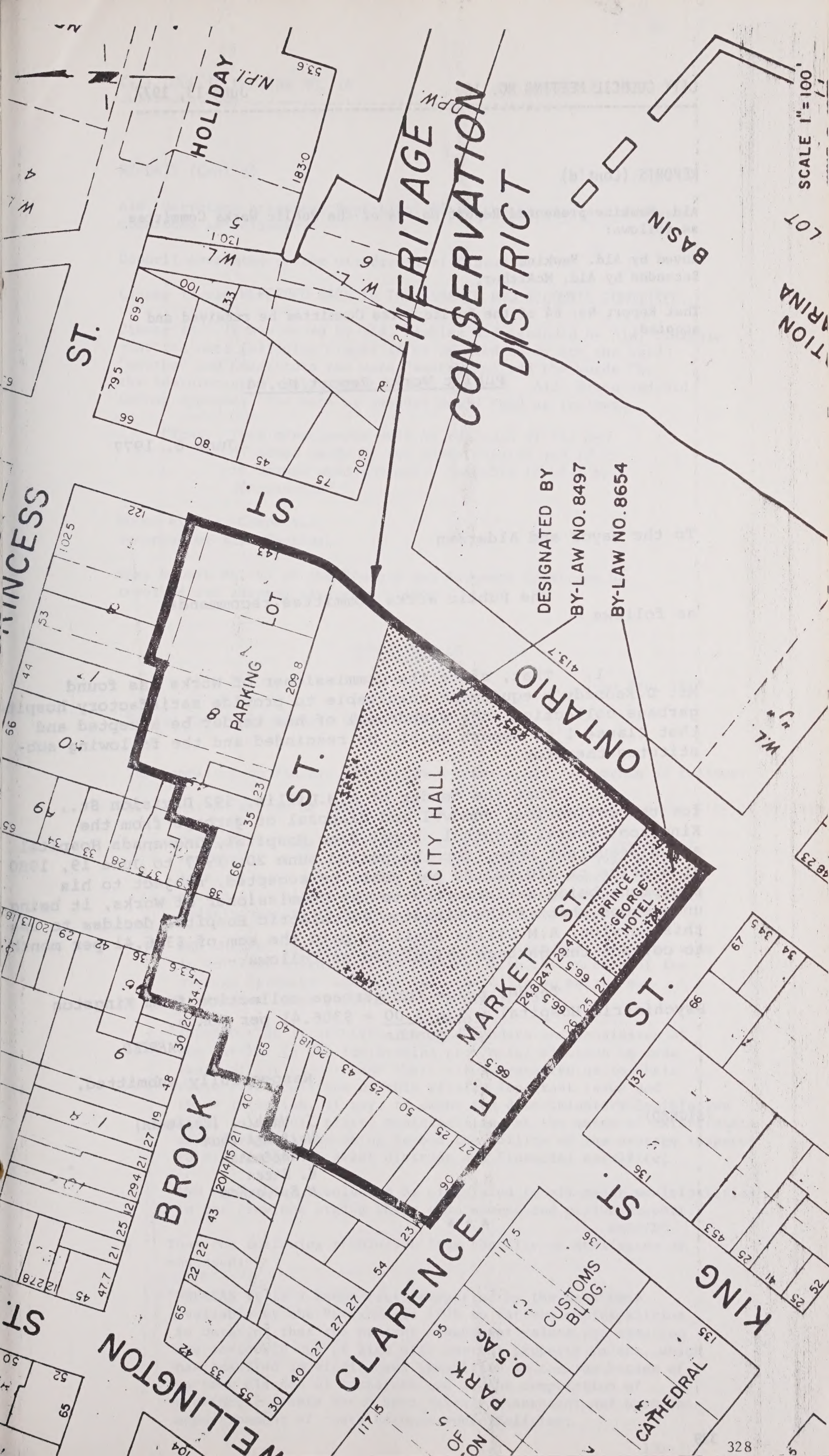
Report No. 63 - City of Kingston Planning Board (Cont'd)

Respectfully submitted,

(SIGNED)

Judith Mackenzie (Chairman)
Ken Keyes
K.W. Matthews
John Clements
D.G. Timmins

* * *


HERITAGE CONSERVATION DISTRICT
DESIGNATED BY
BY-LAW NO. 8497
BY-LAW NO. 8654
SCALE 1" = 100'
CITY HALL
PRINCE GEORGE HOTEL
PARKING LOT
MARKET ST.
ONTARIO ST.
KING ST.
CLARENCE ST.
BROCK ST.
PRINCESS ST.
WELLINGTON ST.
HOLIDAY
BASIN
LOT
CUSTOMS BLDG.
CATHEDRAL
PARK

REPORTS (Cont'd)

Ald. Hawkins presented Report No. 64 of the Public Works Committee as follows:

Moved by Ald. Hawkins,
Seconded by Ald. McArthur,

That Report No. 64 of the Public Works Committee be received and adopted.

Public Works Report No.64

June 6, 1977

To the Mayor and Aldermen

The Public Works Committee recommends as follows -

1. That, since the Commissioner of Works has found Mr. D.Kennedy's equipment unsuitable to provide satisfactory hospi garbage collection, the withdrawal of his tender be accepted and that Clause 1 of Report No.51, be rescinded and the following substituted therefor -

That the tender of A.M.Lillis, 592 Division St., for the collection, removal and disposal of garbage from the Kingston General Hospital, Hotel Dieu Hospital, Ongwanada Hospital and Rideaucrest Home, for the period June 20, 1977 to June 19, 198 at a price of $10,692.00 per year, be accepted, subject to his equipment being satisfactory to the Commissioner of Works, it being understood that if the Kingston Psychiatric Hospital decides to use this service, A.M.Lillis shall be paid the sum of $306.41 per month to collect the garbage calculated as follows -

Tender price for garbage collection from Kingston Psychiatric Hospital - $\frac{\$3673.00}{12 \text{ months}}$ = $306.41 per month.

CARRIED

Respectfully submitted,

(SIGNED)

J. Hawkins (Chairman)
Neil McArthur
G. Allmark
B. Breen
M.B. Gorham

* * *

REPORTS (Cont'd)

Ald. Gerretsen presented Report No. 65 of the Finance and Accounts Committee as follows:

Council consented to the withdrawal of Clause 8.

Clause 12 was REFERRED BACK TO THE FINANCE AND ACCOUNTS COMMITTEE.

Clause 18 - It was moved by Ald. Hawkins and seconded by Ald. Clements that the note following Clause 18 be amended to delete the word "months" and substitute the word "weeks" and add the words "by the Administrator" following the word "weeks". Ald. Breen and Ald. Gorham opposed. The Note as amended would read as follows:

> *"Note: This arrangement will be reviewed at the end of three weeks by the Administrator and if it is deemed uneconomically feasible it will be discontinued."*

Moved by Ald. Gerretsen,
Seconded by Ald. Hawkins,

That Report No. 65 of the Finance and Accounts Committee be received and adopted clause by clause.

REPORT NO. 65

June 8th, 1977.

To the Mayor and Members of Council:

The Committee on Finance and Accounts reports and recommends as follows:

1. That no action be taken on the following resolution from the City of Orillia

"WHEREAS the bulk of municipal taxes is made up of levies for the Boards of Education, and Police Departments over which local or regional councils have virtually no control and the system of arbitration respecting police commissions and their budgets appears to be biased against the municipalities;

AND WHEREAS the continual escalation in demands upon tax rates is entirely unrealistic as compared with the incomes of the average ratepayer who must foot the bills no matter how extravagant these respective budgets may be;

THEREFORE BE IT RESOLVED that the leaders and candidates of the parties in the forthcoming provincial election be made aware of our concern and their views requested as to their respective positions on this vitally important issue and their intention, if any, to amend the discriminatory legislation which, in effect, places municipalities at the mercy of extortionate demands rapidly becoming beyond the ability of the average taxpayer to meet except at great distress and financial sacrifice;

AND THAT this resolution be circulated to all major municipalities in the Province urging their endorsement and active support."

CARRIED

2. That the following resolution from the City of Burlington be endorsed:

"WHEREAS it is a known fact, supported by the data made available by the Province in 1976 to various municipalities in Ontario, that the present assessment values for taxation are seriously out of line with current property values, which has resulted in significant inequities in the tax burden of various classes of taxpayers and in the computation of Provincial grants based upon taxable assessment and upon the apportionment of costs between municipalities;

REPORTS (Cont'd)

Report No. 65 - Finance and Accounts Committee (Cont'd)

2. (Cont'd)

AND WHEREAS financial analysis of the Reform Proposals as presented has shown that there will be a favourable effect upon the tax burden of residential ratepayers if they are implemented;

AND WHEREAS considerable cost has been incurred by the Ministry of Revenue in compiling up-to-date assessment values and preparing for implementation of the change to market value assessment for 1978 taxation, which expense will be largely wasted if implementation of tax reform is further postponed.

THAT the Province be urged to proceed with implementation of Market Value Assessment and Tax Reform as outlined in their proposals of April, 1976, to take effect for the municipal tax year 1978, modified as necessary by the report of the Blair Commission and submissions to be received from municipalities and other interested bodies and individuals;

AND THAT the Province provide a clear statement of policy on Provincial grants having in mind the effects of the Tax Reform Proposals and the recent reduction in Provincial support for Social Services and that this policy statement be backed up with sufficient detail to allow municipalities to calculate precisely the impact upon their finances of the Tax Reform Proposals and the change in Provincial grants;

AND THAT municipalities, school boards and other interested bodies as well as individual taxpayers be given the opportunity to comment upon the proposed grant changes, the procedure for dealing with previously exempt property, as well as the final draft of Tax Reform Proposals in the next few months so that reform of the municipal taxation system can take effect on schedule on January 1, 1978."

CARRIED

3. That the following resolution from the City of London be endorsed:

"THAT WHEREAS Section 53(2) of the Local Improvement Act provides that when a work which is undertaken as a local improvement is completed the Council may borrow on the credit of the Corporation at large such sums as may be necessary to repay temporary advances and to defray the cost of the work undertaken, including the Corporation's portion of the cost, and may issue debentures for the sums so borrowed;

AND WHEREAS the inability of a municipality to issue debentures to finance such works prior to their completion necessitates temporary borrowing which results in interest expense to municipalities for such temporary borrowings;

AND WHEREAS many municipalities now contract out their local improvement works and thus the cost of the works is known when the contract is accepted;

AND WHEREAS many municipalities assess flat rate charges against the benefiting property owners and thus the total final cost has no bearing on the amount to be assessed;

THEREFORE BE IT RESOLVED that the Treasurer of Ontario and the Minister of Economics and Intergovernmental Affairs be urged to effect an amendment to the said Section 53(2) of the Local Improvement Act, to permit municipalities to issue debentures to construct local improvements immediately upon a contract to construct

REPORTS (Cont'd)

Report No. 65 - Finance and Accounts Committee (Cont'd)

3. (Cont'd)

such works having been accepted; and that a copy of this resolution be forwarded to the Association of Municipalities of Ontario and to all Cities and Boroughs in Ontario for endorsement."

CARRIED

4. WHEREAS Hotel Dieu Hospital has requested permission from the City to construct a steam line from Queen's University Heating Plant to Hotel Dieu Hospital as shown on Figure No. 1 prepared by J.D. Lee Engineering Ltd dated January 27th, 1975;

AND WHEREAS route C as shown on the said plan, which is the route preferred by the Hospital and the City, would cross City park land, certain City streets, and a public laneway;

AND WHEREAS the City considers the operation of a steam line for Queen's University and public hospitals in the City to be in the public interest and by agreement dated September 25th, 1969, granted a license to Queen's University to install and operate a steam and duct line in and under certai public highways, streets and lands of the City:

THEREFORE the City grants permission to Hotel Dieu to extend the existing steam line from the Queen's Heating Plant to the Hotel Dieu Hospital along and across public streets as shown as Part 1 and across City Park, the Cricket Field, the public laneway and across Earl Street, William Street, an Johnson Street, as shown on the said Figure No. 1, subject to both the City and the Hospital entering into an agreement in the form attached hereto as Schedule "C".

CARRIED

5. That, as notification has been received from the Secretary-Treasurer of the Kingston Public Library Board that the Library Board sanctions payment of Certificate for Payment No. 8 from M. Sullivan & Son Ltd., for $190,457.72, and Invoice No. 22 from Lily Inglis and Wilfred Sorensen, Architects, for $343.36, these accounts be authorized for payment.

CARRIED

6. WHEREAS the new Ontario Home Renewal Rental Program requires signing of an agreement between the borrower and the City of Kingston, a copy of which is submitted to the provincial Government:

THEREFORE BE IT RESOLVED that a by-law be presented to Council to authorize the Mayor and the Clerk-Comptroller to sign the Ontario Home Renewal Program Rental agreements in the form attached as Schedule "A'

CARRIED

7. That, as recommended by Mr. M. J. Ewart, Director of Purchasing, as set forth on Page 4 of the Summary of Tender No. 77-16, the tender for petroleu products be awarded, in part, as follows:

Group "A"

Gasoline Grades 1 and 2	- To IMPERIAL OIL CO. LTD., subject to the proviso that any announced change in price structures are to be subject to the provision of 15 days notice of intent, and conditional upon the right of renegotiation being vested with the Corporation;
Oil, Diesel Fuels, Grades 1 & 2 Cleaning Solvent	- To GULF OIL CANADA LTD., subject to the proviso that any announced change in price structures are to be subject to the provision of 30 days notice of intent, and conditional upon the right of renegotiation being vested with the Corporation;

REPORTS (Cont'd)

Report No. 65 - Finance and Accounts Committee (Cont'd)

7. (Cont'd)

Oil, Engine Lubricating Oil, Diesel Engine Lubricating Oil, Transmission Lubricating Oil, Auto Transmission Oil, Two Cycle Engine	- To SHELL CANADA LTD., subject the proviso that any announced change in price structures are be subject to the provision of days notice of intent, and conditional upon the right of renegotiation being vested wit the Corporation;
Grease, Chassis Lubricating Kerosene	- To TEXACO CANADA LTD.

Group "B"

Furnace Oil, No. 2 Stove Oil, No. 1	- To SHELL CANADA LTD., subject the proviso that any announced in price structures are to be subject to the provision of 15 notice of intent, and condition upon the right of renegotiation being vested with the Corporati
Bunker, C	- To S. ANGLIN CO. LTD., subject proviso that any announced chan price structures are to be subj the provision of 15 days notice intent, and conditional upon th of renegotiation being vested w Corporation.

CARRIED

8. That Ms. Nina R. Mohan be appointed to the Kingston Area Planning Board for a term ending January 1, 1979. *WITHDRAWN*

9. That the regular July meeting of Council be held on July 11th and the regular August meeting of Council be held on August 8th. *CARRIED*

10. That, as recommended by the Kingston Public Library Board, the followin Change Orders be approved:

Change Order No. 17

1. Changes to Lighting fixtures all as detailed in Architects letter and Schedule pages 1 & 2 to M. Sullivan & Son Ltd., dated 6th April 1977 and Sullivan's Quotation of 10th May 1977

Univex Quotation	$1,188.00	
Louvred Ceilings - material	275.00	
Field Labour	125.00	
5% mark-up	79.50	
		$1,667.40

2. Conduit between Projection Rm. and Stage to Large Meeting Room: as quoted by Sullivan in minutes of May 11, 1977 Site meeting plus 5% mark-up

	$ 98.00	
	4.90	
		$ 102.90
		$1,770.30

REPORTS (Cont'd)

Report No. 65 - Finance and Accounts Committee (Cont'd)

10. (Cont'd)

Change Order No. 18

For supplying and installing new two hour Chubb-Moseley vault door, instead of re-using old vault door from existing Public Library - $1,300.00

CARRIED

11. That, the Liquor License Board be notified that Kingston City Council supports the request of the Kingston and District Agricultural Society that they be permitted to sell beer in the Marquee during the Kingston Exhibition from July 19th to 23rd, 1977, on the Community Centre grounds.

CARRIED

12. That, as recommended by the Parks and Recreation Committee, the following proposal be approved, in principle, it being noted that further information will be requested on the type of equipment to be installed and the operating plans, especially for the pool.

"That, since Kingston Day Care Incorporated proposes to develop a preschool playground at 10 Chapman Street as described in their letter dated May 26, 1977, and since they propose to make this playground available for public use on evenings and week-ends thereby providing a needed recreational facility for this area of the City, the Parks and Recreation Committee endorses their proposal and recommends to the Finance Committee that the City indicate to them its willingness to contribute one-quarter of the estimated cost of constructing this playground, or $1,625.00, to support their application for a Wintario grant -

Cost Figures

Asphalt	$2,000.00
Planters, fences, gates mound sand boxes, etc.	1,500.00
Large adventure climber and pool	3,000.00
	$6,500.00"

and further that when agreement has been reached on the type of equipment to be installed and the operating plans, the appropriate budget transfer be made with the funds being appropriated from "Finance Contingencies".

REFERRED BACK TO THE FINANCE AND ACCOUNTS COMMITTEE
(See following motion of referral)

Moved by Ald. Clements,
Seconded by Ald. Gorham,

That Clause 12, Report No. 65, be referred back to the Finance and Accounts Committee.

CARRIED

13. That, as recommended by the Public Works Committee, the 1977 Capital Budget be amended by transferring $4,500.00 from "General Rate Sidewalk Reconstruction" to "Local Improvement Sidewalk Reconstruction" because the program amounted to $36,500.00 where $32,000.00 only had been provided in the 1977 Capital Budget.

CARRIED

14. That, as recommended by the Public Works Committee, a by-law be presented to Council to authorize the construction of a 36-inch diameter sanitary relief sewer in the North End Trunk Sewer right-of-way from 337 feet north of Portsmouth Avenue to 1008 feet northerly as a charge to the general tax rate at -

REPORTS (Cont'd)

Report No. 65 - Finance and Accounts Committee (Cont'd)

14. (Cont'd)

a total estimated cost of $98,000.00; and further that funds be transferred from $20,000. allocated in Capital Budget for storm sewer in King Street from Queen to Princess Street in the amount of $8,000.00.

Note: The downstream sanitary sewer and the Water Pollution Control Plant have adequate capacity to accept the flows from this sewer.

CARRIED

15. That, as recommended by the Public Works Committee, a by-law be presente to Council to authorize the reconstruction of the concrete sidewalks on the streets listed on the attached Schedule "B", including radius improvements, at a total estimated cost of $53,377.00 less anticipated Ministry of Transportation and Communications subsidy of $7,877.00, as a charge to the general tax rate, provision for this expenditure having been made in the 1977 Capital Budget.

CARRIED

16. WHEREAS on October 14th, 1967, the Mayor of the City of Kingston and the Mayor of Boucherville signed a formal document twinning the two cities and solemnly pledging to abide by the permanent bonds between the Municipalities of the two cities, to favour exchanges in all domains between the inhabitants in order to further the development, by an ever improving comprehension within the living sentiment of fraternity; and pledging to join hands and all their talents to work towards the success of this enterprise of Peace and of Prosperity;

AND WHEREAS it is desirable to implement this pledge:

THEREFORE the following Committee on the Twinning of the two cities is hereby established:

Father Don Clement
Professor Daniel Fraiken
Mrs. Margaret Halliday
Professor Mac Freeman and
Alderman Yuri Tarnowecky;

and further that the sum of $500.00 be appropriated for clerical assistance and travelling expenses for this committee.

CARRIED

17. That the City, jointly with the Public Utilities Commission, subject to the concurrence of the Commission, place a full page advertisement in a tourist booklet that will be produced during June called "Kingston Encylopedia '77" at a total cost of $600.00, or a half page for $325. on its if the Commission does not concur, with funds being appropriated from "Finance Contingencies".

CARRIED

18. That, as recommended by the Transportation Committee, two students be hired to sell dog licenses door-to-door at approximately $3.00 per hour at a total cost not to exceed $2,400.00 to be financed from revenue received from the additional dog licenses; and further that the following budget transfer be approved:

Increase Revenue - Dog Licenses -	$2,400.00
Increase Protective Inspection Salaries -	$2,400.00

Note: This arrangement will be reviewed at the end of three weeks by the Administrator and if it is deemed uneconomically feasible it will be discontinued.

CARRIED AS AMENDED

(Ald. Breen and Ald. Gorham opposed)

REPORTS (Cont'd)

Report No. 65 - Finance and Accounts Committee (Cont'd)

19. That the City purchase a print of the film "Kingston Olympiad" at a cost of $500.00, to be retained at the City Hall, and that this expenditure be charged to the C.O.J.O. Capital Budget.

CARRIED

20. That the City retain Humphries and Burgham, Ontario Land Surveyors, to prepare a survey of the breakwater that lies within the bounds of Maitland Street, as extended, which would contain the following:

1. dimensions of breakwater at water level.
2. dimensions of breakwater at surface level.
3. amount and location of accretion as opposed to fill.
4. exact location of surface and water level points of breakwater (excluding accretion)

at a cost not to exceed $1,600.00 to be shared with the Kingston Yacht Club;

and further that the necessary funds be transferred from "Finance Contingencies".

CARRIED

21. That, as recommended by the Director of Planning and Urban Renewal, the City acquire 59-61 Bay Street; it being noted that in January of this year Council approved the acquisition of this property and the Minister of Housing has subsequently approved the necessary amendment to the N.I.P. Redevelopment Plan, at a total cost of $21,657.00 (which includes legal expenses).

CARRIED

22. Whereas on June 18th and 19th, for twenty continuous hours, a telethon will be held in the lobby of the King Edward Hotel, in support of The Canadian Society for Autistic Children;

AND WHEREAS the cause, or causes, of autism in children are, as yet, unknown and no tests are available to discern autism

AND WHEREAS the Autism Society has brought about a concrete breakthrough in specialized care and achieved a viable alternative to institutionalizing children for the rest of their lives;

AND WHEREAS in support of these handicapped children, Premier Bill Davis has proclaimed the month of June "Autistic Month" in Ontario:

NOW THEREFORE THE month of June be proclaimed as "Autistic Month" in Kingston, so that citizens may become more aware of the problems of these special children.

CARRIED

(SIGNED)

Respectfully submitted,

Ken Keyes (Chairman)
J.P. Gerretsen
J. Hawkins
Judith Mackenzie
K.W. Matthews
Lois Miller

* * *

AGREEMENT

THIS AGREEMENT DATED THE DAY OF 19

BETWEEN:

THE CORPORATION OF THE CITY OF KINGSTON
(hereinafter called "the Municipality")

OF THE FIRST PART

- and -

(hereinafter called "the Borrower")

OF THE SECOND PART

WHEREAS pursuant to The Housing Development Act, hereinafter referred to as "the Act" and the regulations made thereunder, the Municipality may make a loan to a landlord provided that he has entered into an agreement with the Municipality pursuant to the said regulations:

AND WHEREAS the Borrower is a landlord within the meaning of the said regulations:

AND WHEREAS the Borrower has obtained a loan dated the day of 19 , in the amount of $ and has undertaken to repair, rehabilitate, improve or convert an existing building comprising units, hereinafter referred to as "the property" situated at:

Civic Address:

Legal description sufficient for registration of this document in the Land Registry Office:

NOW THEREFORE THIS INDENTURE WITNESSETH in consideration of the mutual convenants herein contained, the parties hereto undertake and agree as follows:

1. RENTAL

(1) Each dwelling unit in the property shall be leased to a family or individual at a monthly rental not in excess of the following:

Number of Units	Type of Unit	Maximum Amount Monthly Rental

(2) If the revenue from the property to the Borrower exceeds or is less than a sum sufficient to cover the operating expenses of the project plus a reasonable return on investment as approved by the Municipality, then the rentals, subject to the submission by the Borrower to the Municipality of a financial statement acceptable to the Municipality, may be adjusted upward or shall upon direction of the Municipality be adjusted downward accordingly effective from such date as the Municipality shall determine.

.../2

(3) For the purposes of subsection 1 and subject to subsection 4, the rental shall be calculated by adding to the rental of the dwelling unit before the repair, rehabilitation or improvement, the amortization figure of the repayable portion of the loan based on standard 20-year amortization tables and then adding or subtracting, as the case may be, the differential in operating expenses resulting from such repair, rehabilitation or improvement.

(4) Where a dwelling unit is unoccupied prior to its repair, rehabilitation or improvement, or where a new dwelling unit is created through conversion, the Borrower and the Municipality shall, before any work is commenced, come to an agreement as to the rental to be charged after the repair, rehabilitation, improvement or conversion, and such rental shall not exceed rentals being charged for similar accommodation in the area.

2. DEFAULT

In the event that,

(a) the Borrower commits a breach of this Agreement, or

(b) any instalment of principal and interest remains unpaid for thirty days after the date on which it becomes due,

the Municipality may declare the balance of the loan outstanding, due and payable forthwith together with interest accruing from the date of such default until paid

3. DISCRIMINATION

The Borrower agrees that he will not, in the leasing of the accommodation, discriminate against any person by reason of race, colour, religion, sex, marital status or national origin.

4. ASSIGNMENT OF INTEREST

Upon the Borrower's interest in the dwelling unit being assigned or transferred any unpaid portion of the loan shall immediately become repayable except as otherwise provided in the regulations.

5. TERM OF AGREEMENT

This Agreement shall continue in force for the term during which any portion of the loan is outstanding.

6. This Agreement is binding on the heirs, successors, executors, administrators and trustees of the Borrower.

IN WITNESS WHEREOF this Agreement has been executed by the parties hereto.

THE CORPORATION OF THE CITY OF KINGSTON

____

____

____

Signature of Borrower

Proposed 1977 General Rate Sidewalk Reconstruction Schedule

Street	Side	From	To	Width		Cost
				Existing	Proposed	
Lansdowne	W	Adelaide	Stanley	4	4.5	$4536.00
Stanley	N	Alfred	easterly 417'	4	4.5	4928.00
Graham	E	45' N. of Johnson	northerly 380'	4	4.5	5130.00
Birch	N	22.5' E. of Collingwood	easterly 337'	4.5	4.5	4549.00
Colborne	S & W	Chatham	westerly 166'	4	4	1992.00
Kensington	W	161.5 S. of Union	southerly 107'	5	5	1445.00
Colborne	S	Barrie	Clergy	5	4.5	6277.00
Willingdon	E	Hill	southerly 773'	4.5	4.5	10435.00
Hill	S	Willingdon	easterly 56'	4.5	4.5	756.00
Division	E	21' N. of Pine	Adelaide	4	4.5	7192.00
Johnson	N	150' W. of Clergy	westerly 104'	9	6	2230.00
Sydenham	W	Earl	William	5	4.5	3307.00
						$52,777. 00
				Radius	Improvements	600. 00
					Total	$53,377. 00
					MTC subsidy	7,877. 00
					Net Total	$45,500. 00

Supplementary Schedule

Street	Side	From	To	Existing	Proposed	Cost
Colborne	N	Chatham	westerly 118'	4	4	$1850.00
Dundas	N	170' E. of Napier	easterly 111'	4	4	1332.00
Park	S	Helen	easterly 242.5'	4	4.5	3719.00

All the above sidewalks are Type A.

MEMORANDUM OF AGREEMENT made in duplicate this 13th day of June, 1977.

BETWEEN:

HOTEL DIEU HOSPITAL
(hereinafter called the "Hospital")

OF THE FIRST PART

THE CORPORATION OF THE CITY OF KINGSTON
(hereinafter called the "City")

OF THE SECOND PART

WHEREAS the Hospital has requested permission from the City to construct a steam line from Queen's University Heating Plant to Hotel Dieu Hospital, as shown on Figure No. 1, prepared by J. D. Lee Engineering Ltd., dated January 27th, 1975;

AND WHEREAS route C as shown on the said plan, which is the route preferred by the Hospital and the City, would cross City park land, certain City streets, and a public laneway;

AND WHEREAS the City considers the operation of a steam line for Queen's University and public hospitals in the City to be in the public interest and by agreement dated September 25th, 1969, granted a license to Queen's University, to install and operate a steam and duct line in and under certain public highways, streets and lands of the City:

THEREFORE the City grants permission to the Hospital to extend the existing steam line from the Queen's Heating Plant to the Hospital along and across public streets as shown as Part 1 and across City Park, the Cricket Field, the public laneway and across Earl Street, William Street, and Johnson Street, as shown on the said Figure No. 1, subject to the following conditions:

1.) That the Hospital will pay all installation and operating costs and will be responsible for the maintenance of the said steam line.

2. That the Hospital shall obtain the approval of the Commissioner of Works and file with the Commissioner of Works, initially, or at any time and from time to time thereafter, prior to the installation of any equipment, complete drawings and other descriptive material sufficient to show the location and method of construction of such equipment and shall obtain the approval of the Commissioner of Works before installing any such equipment.

3.) The Hospital shall install and operate its equipment in accordance with good engineering practice and in good appearance. Wh it becomes necessary to break the surface of any public highway, lane or public place, this shall be done under cut permit regulations as s forth in Section 59 of By-Law No. 10, "A By-Law Respecting Streets".

4.) That the Hospital shall design the route to avoid all tree in the City park and the Cricket field.

5.) That the work in the park areas will be carried out during time of the year that will least interfere with the public use of the parks.

6.) That the Hospital will make arrangements satisfactory to th Commissioner of Works, during the construction period, for traffic movement along the streets and for garbage collection and access to th garages along the public laneway between West Street and Earl Street.

7.) That the Hospital will be responsible for obtaining any necessary easements where the route crosses private property.

8.) In the course of installing and operating its equipment, th Hospital shall take such steps as shall be required to protect and maintain in good working order all Municipal Services and those of oth utilities in the said public highways, streets, or other lands of the City and to provide whatever measures are required properly to safegua the public.

9.) The Hospital does hereby covenant and agree for themselves ar assigns to indemnify and save the City harmless from and against any ar all claims, demands, causes of action or damages and any other matter whatsoever arising out of or connected in any way with the installation and operation of the equipment under this agreement and the Hospital hereby grants to the City full power and authority to settle any such action, suit, claim and demand on such terms as the City may deem advisable. Provided, however, that should there be a claim, etc., involving liability upon the Hospital, then the City hereby agrees to consult with the Hospital before settling any such claim, etc. The Hospital hereby covenants and agrees with the City to pay to the City o demand all moneys paid by it in pursuance of any such settlement and also such sum as shall represent the reasonable cost of the City or its solicitor in defending or settling any such action, suit, claim or demand, and this agreement shall not be alleged as a defence by the Hospital in any action by any person for actual damage suffered by reason of the permission hereby granted to the Hospital.

10.) That this agreement may be terminated by either party upon two years' notice in writing to the other party.

11.) In the event of termination of this agreement for any reason, the Hospital shall have, after the date of termination of this agreement, up to six (6) months to remove such conduits and appurtenances as may be required by the Commissioner of Works, the cost of the removal and restoration work to be borne by the Hospital.

12.) In the event of any dispute or disagreement between the parties hereto as to the meaning or interpretation of anything herein contained or as to the performance or non-performance by either of such parties of any of the provisions hereof or as to the respective rights and obligations of the parties hereto hereunder, either of such parties may refer such dispute or disagreement to arbitration.

13.) This Agreement shall be binding upon the benefits and burdens shall enure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors and assigns, and to all the owners of land within the limits of the Corporation of the City of Kingston.

14.) Any notice or other communication required or permitted to be given by this Agreement shall be sufficiently given if sent by registered mail postage prepaid addressed in the case of the Hospital to Hotel Dieu Hospital, Kingston, Ontario, and in the case of the City to the Clerk-Comptroller, the City of Kingston, Kingston, Ontario, and any notice or communication so given shall be conclusively considered to have been given on the business day next following the day on which it is mailed and for the purposes of this clause, Saturdays are conclusively considered not to be business days.

IN WITNESS WHEREOF the Hospital has hereunto affixed its corporate seal attested by the proper signing officers in that behalf and the City has hereunto affixed its corporate seal attested by the Mayor and Clerk-Comptroller in that behalf.

SIGNED, SEALED AND DELIVERED
In the Presence of

HOTEL DIEU HOSPITAL

THE CORPORATION OF THE CITY OF
KINGSTON

(Mayor)

(Clerk-Comptroller)

UNFINISHED BUSINESS

Mayor Keyes said that Sunday, June 19th, 1977 was scheduled as "County of Frontenac Day" at Ontario Place. He hoped that a number of the Aldermen would attend this function. Complimentary tickets would be available for anyone who is interested. He asked Aldermen who planned to go to telephone his Secretary.

Mayor Keyes said that he has some pictures of the Aldermen who attended Visitors' Day Camp at Barriefield. There were plenty of spare copies for anyone who would like to have some.

Alderman Webb said that he commended the organizers of Folklore.

Alderman Webb said that the Town of Cobalt had recently suffered a holocaust. When Springfield, Nova Scotia, and the Windsor area had suffered a disaster, the City of Kingston had made a grant to these municipalities. He suggested that the Clerk-Comptroller check with Cobalt to find out if funds from insurance and Provincial grants had covered the losses. He would like to see the City make a donation of $1,000.00.

Mayor Keyes referred the suggestion to the Finance Committee.

Alderman McArthur asked that information be obtained as to why Cable TV was not available to all areas of the City.

Alderman Matthews said that he would like the Chairman of the Transportation Committee to request the Administrator of Traffic and Streets to check into the parking problems on the north side of Adelaide Street, between Division and Cowdy Streets.

Alderman Miller said that at the last meeting of the Community Services Committee the wording used in the letters from the By-Law Enforcement Officers had been discussed. The wording giving an owner the alternative to repair or demolish had not been used for several months. The wording now being used made it clear that if the deadlines contained in the Notice were not acceptable, the owner should check with the Property Standards Officers.

Alderman Breen said he was pleased that Central Public School would be kept open. Already some people were leaving the area because of the closing of Macdonald School.

Mayor Keyes said that the School Board should be complemented for reconsidering its decision and for explaining the basis of their final decision.

Mayor Keyes said that Folklore had been so popular that an extra 800 passports had been printed. This had resulted in some overcrowding. The Folklore Committee hope to expand the facilities next year.

Alderman Webb said that he had received a letter from a resident of Trenton that strongly criticized the Property Standards Officer. The letter had been intended for Mayor Keyes and he would turn the letter over to him.

Alderman Timmins said that the recent crime statistics released with the Police Commission minutes indicated a great number of break and enter crimes. People who were going on vacation should ask their neighbours to keep an eye on their house and let the Police know if they saw people entering the premises at odd hours.

BY-LAWS

Council consented to the addition of By-Law No. 15 and By-Law No. 16.

(A) Moved by Ald. Gerretsen,
Seconded by Ald. Hawkins,

That By-Laws 1 to 10 and 15 be given their first and second readings.

CARRIED

(Ald. Gorham, Hawkins, Matthews, McArthur and Timmins opposed to By-Laws 2, 4, and 5)

(Ald. Webb opposed to By-Law 5)

(B) Moved by Ald. Miller,
Seconded by Ald. Gerretsen,

That Rule 35 of By-Law No. 1 be suspended for the purpose of giving By-Law 8, 9, 10, and 15 their third reading.

CARRIED

(C) Moved by Ald. Webb,
Seconded by Ald. Allmark,

That By-Law No. 11 be deferred to the next meeting until more information is obtained.

LOST 5:10

Moved by Ald. Matthews,
Seconded by Ald. Gerretsen,

That By-Laws 8 to 10 and 12 to 16 be given their third reading.

CARRIED

(Ald. Clements, French, Mackenzie, Miller and Webb opposed to By-Law 16)

(1) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of The Highway Traffic Act" (Clauses 1 and 2, Report No. 61).

(FIRST AND SECOND READING) (PROPOSED NO. 9033)
Clauses 1 and 2, Report No. 61, 1977

CARRIED

(2) A By-Law to Stop Up and Close Queen's Crescent between University Avenue and Alfred Street.

(FIRST AND SECOND READING) (PROPOSED NO. 9034)
Clause 3, Report No. 61, 1977

CARRIED

(3) A By-Law to Amend By-Law No. 8499, 'Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston' (Rezone 10 Acres East of Yonge Street and South of King Street, from P Parks, Open Space and Flood Plan (general recreation park), to P.131 Parks, Open Space and Flood Plain (general recreation park and to expand uses').

(FIRST AND SECOND READING) (PROPOSED NO. 9035)
Clause 1, Report No. 63, 1977

CARRIED AS AMENDED

(4) A By-Law to Amend the Official Plan of The City of Kingston Planning Area (Amendment No. 90 : Establishment of Heritage Conservation Districts).

(FIRST AND SECOND READING) (PROPOSED NO. 9036)
Clause 7 (1), Report No. 63, 1977

CARRIED

BY-LAWS (Cont'd)

(5) A By-Law to Define the Market Square Area as an Area to be Examined for Possible Future Designation as a Heritage Conservation District.

(FIRST AND SECOND READING) (PROPOSED NO. 9037)
Clause 7 (2), Report No. 63, 1977

CARRIED

(6) A By-Law to Authorize the Construction of a Sanitary Relief Sewer in the North End Trunk Sewer Right-Of-Way (General Rate).

(FIRST AND SECOND READING) (PROPOSED NO. 9038)
Clause 14, Report No. 65, 1977

CARRIED

(7) A By-Law to Authorize the Reconstruction of Certain Concrete Sidewalks (General Rate).

(FIRST AND SECOND READING) (PROPOSED NO. 9039)
Clause 15, Report No. 65, 1977

CARRIED

(8) A By-Law to Exempt Lots 1 to 16 Inclusive of Registered Plan No. 1688, (Mastercraft Construction Limited) From the Provisions of Section 29 (4) of The Planning Act (Part Lot Control).

(THREE READINGS) (PROPOSED NO. 9040)
Clause 9, Report No. 63, 1977

CARRIED

(9) A By-Law to Authorize Execution of an Agreement with certain landlords by the Mayor and Clerk-Comptroller (Ontario Home Renewal Program Rental Agreements - Authorization).

(THREE READINGS) (PROPOSED NO. 9041)
Clause 6, Report No. 65, 1977

CARRIED

(10) A By-Law to Confirm the Proceedings of Council at Its Meeting Held on June 13, 1977.

(THREE READINGS) (PROPOSED NO. 9042)
City Council Meeting No. 16

CARRIED

(11) A By-Law to Authorize the Execution of an Agreement with Beaufort Realties (1964) Inc., for the Acquisition of Certain Lands (32 Acres + 100 Foot Strip - Bath Road and Little Cataraqui Creek Area).

(THIRD READING) (PROPOSED NO. 8909)
Clause 1, Report No. 93, 1976

CARRIED 9:6
(See Recorded Vote)

Ald. Webb requested a recorded vote on By-Law No. 11 which was as follows:

YEAS: Mayor Keyes, Ald. Breen, Ald. Clements, Ald. French, Ald. Gerretsen, Ald. Gorham, Ald. Mackenzie, Ald. Miller, Ald. Tarnowecky. (9)

NAYS: Ald. Allmark, Ald. Hawkins, Ald. Matthews, Ald. McArthur, Ald. Timmins, Ald. Webb. (6)

BY-LAWS (Cont'd)

(12) A By-Law to Amend By-Law No. 7526, "A By-Law to Authorize the Construction of Improvements on Brock Street, Johnson Street, Palace Road and Sir John A. MacDonald Boulevard" (Increased Cost).

(THIRD READING) (PROPOSED NO. 8996)
Clause 3, Report No. 33, 1977

CARRIED

(13) A By-Law to Authorize Extensions and Improvements to the Natural Gas System in the City of Kingston in the Amount of $50,000.00.

(THIRD READING) (PROPOSED NO. 9018)
Clause 12, Report No. 47, 1977

CARRIED

(14) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of the Highway Traffic Act" (Clauses 8 and 9, Report No. 58).

(THIRD READING) (PROPOSED NO. 9029)
Clauses 8 and 9, Report No. 58, 1977

CARRIED

(15) A By-Law to Authorize the Execution of an Agreement with Her Majesty the Queen in Right of the Province of Ontario as Represented by the Minister of Transportation and Communications (Subsidy - Norman Rogers Airport).

(THREE READINGS) (PROPOSED NO. 9043)
Clause 1, Report No. 118, 1976

CARRIED

(16) A By-Law to Stop Up and Close Bagot Street from Barrie Street to West Street.

(THIRD READING) (PROPOSED NO. 9028)
Clause 3, Report No. 58, 1977

CARRIED

MOTIONS

(1) Moved by Ald. Webb,
Seconded by Ald. Breen,

That congratulations be extended to the Honourable Keith Norton on his re-election to Parliament as a member of Kingston and the Islands.

(2) Moved by Ald. Matthews,
Seconded by Ald. McArthur,

That the condolences of Council be expressed to the Family of the Late Mr. James Crawford MacGregor.

MOTIONS (Cont'd)

(3) Moved by Ald. Webb,
Seconded by Ald. Timmins,

That the sympathy of Council be extended to the family of the late Mr. Lucien Nourry whose name has been inscribed in the City's Book of Honorable Achievement.

CARRIED

(4) Moved by Ald. Webb,
Seconded by Ald. Tarnowecky,

That the Board of Education be commended for reconsidering the closing of MacDonald and Central Public Schools and for establishing guidelines for closing.

CARRIED

(5) Moved by Ald. Allmark,
Seconded by Ald. Breen,

That Council do now adjourn.

CARRIED

Council adjourned at 11:02 P.M.

(L.S.)

(Signed) T.J. McKibbin
Clerk-Comptroller

(Signed) Ken Keyes
Mayor

Local Govt

CITY COUNCIL MEETING NO. 17

Pursuant to Section 3 of By-Law No. 1, 1966, Mayor Keyes summoned a Special Meeting of Council, which was held in the Council Chamber, City Hall, on Monday, June 13, 1977, at 11:12 P.M. The Special Meeting was authorized by Section 190(1) of The Municipal Act and was held in Committee of the Whole (In Camera) to consider proposed amendments to the 1976 Agreement with Local 141, C.U.P.E.

ROLL CALL

Mayor Keyes, Ald. Allmark, Ald. Breen, Ald. Clements, Ald. French, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Mackenzie, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins. (14)

(1) Moved by Ald. Gerretsen,
Seconded by Ald. Matthews,

That Council resolve itself into a Committee of the Whole, with Mayor Keyes in the Chair, to consider the amendments to the 1976 Agreement with Local 141, C.U.P.E., as set forth on Schedule "1" attached to the Agenda for the Special Meeting.

CARRIED

Ald. Hawkins declared a conflict of interest, as his wife is a member of Local 141, C.U.P.E. With the permission of Mayor Keyes, he withdrew from the meeting at 11:14 P.M.

COMMITTEE OF THE WHOLE

(1) Moved by Ald. Breen,
Seconded by Ald. Gorham,

That Council accept the agreement as set forth on Schedule "1" and recommended by the Finance Committee.

CARRIED

(2) Moved by Ald. Gerretsen,
Seconded by Ald. Mackenzie,

That Council rise from the Committee of the Whole and the Chairman report on the action taken in the Committee of the Whole.

CARRIED

Mayor Keyes reported that Schedule "1" had been approved in the Committee of the Whole. He requested the members of Council to treat the decision and Schedule "1" as confidential until the members of Local 141, C.U.P.E. had voted on the proposed amendments on Wednesday, June 15, 1977.

NOTE: A copy of Schedule "1" is on file in the office of the Clerk-Comptroller, and copies have been previously distributed to all members of Council.

NOTE (cont'd)

Copies of the Minutes of a Special Meeting of the Finance Committee held on June 10, 1977 were distributed to the members of Council. These Minutes recorded the fact that the Finance Committee had considered three matters at the request of the Union Negotiating Committee, as follows:

(1) Section 5:02 - Job Security comparable with Local 109, C.U.P.E.

(2) A signing bonus amounting to $150.00 per employee. This is said to relate to cost-of-living.

(3) A picket line clause - same as in C.U.P.E., Local 109 Agreement.

The Negotiating Committee did not recommend these items; neither did the Finance Committee nor Council.

BY-LAW

(A) Moved by Ald. Gerretsen,
Seconded by Ald. Matthews,

That By-Law 1 be given its first and second readings.

CARRIED

(B) Moved by Ald. French,
Seconded by Ald. Timmins,

That Rule 35 of By-Law No. 1 be suspended for the purpose of giving By-Law 1 its third reading.

CARRIED

(C) Moved by Ald. Mackenzie,
Seconded by Ald. Miller,

That By-Law 1 be given its third reading.

CARRIED

(1) A By-Law to Confirm the Proceedings of Council at Its Special Meeting Held on June 13, 1977.

(THREE READINGS) (PROPOSED NO. 9044)
City Council Meeting No. 17

CARRIED

MOTIONS

(1) Moved by Ald. Tarnowecky,
Seconded by Ald. Miller,

That Council do now adjourn.

CARRIED

Council adjourned at 11:20 P.M.

(L.S.)

(Signed) T.J. McKibbin,
Clerk-Comptroller

(Signed) Ken Keyes
Mayor

Local Govt.

CITY COUNCIL MEETING NO. 18

The Regular Meeting of City Council will be held in the Council Chamber at City Hall on Monday, June 27, 1977 at 8:00 P.M.

ROLL CALL

PRESENTATION

Dr. R.C. Burr and Miss Sylvia Birkenshaw, representing the St. John Ambulance Brigade, will present an Award to the City of Kingston from the ORDER OF ST. JOHN.

TABLING OF DOCUMENTS

MINUTES

That the Minutes of City Council Meeting No. 16, held on June 13, 1977, and the Minutes of Special City Council Meeting No. 17, held on June 13, 1977 be adopted as printed.

COMMUNICATIONS

(382) From "The Limestone Golden Years Club" thanking Council for their grant for 1977.

(383) Copy of *"Background"* dated June 3, 1977 from the Honourable Darcy McKeough, Treasurer of Ontario.

(Note: Copy has been distributed to each member of Council.)

(384) From Central Mortgage and Housing Corporation a cheque in the amount of $2,645.00 which represents payment for fees re: RRAP Agency Agreement Reimbursement for Administration for May 1977.

(385) Copy of letter from the Association of Municipalities of Ontario to the Treasurer of Ontario notifying that the Association's Board of Directors endorse the resolution of the City of Kingston requesting an amendment to The Municipal Act for authority on temporary closing of streets.

Which Has Been Referred to the City of Kingston Planning Board

(386) From the Ministry of Housing, Community Development, acknowledging receipt of Council's resolution (R. 54 (5) 77) approving the plans for the proposed Senior Citizens Housing project at the corner of Rideau and Ordnance Streets and requesting that the development control conditions, which contravene the tendering policy which has been very successfully implemented by the Province over the past 3½ years, be reconsidered by the City and rescinded.

COMMUNICATIONS (Cont'd)

To Be Filed

(387) Minutes of the Executive of the Cataraqui Region Conservation Authority held on June 8th, 1977.

(388) Statement of Revenue & Expenditures for the period ending April 1977 from the Public Utilities Commission of the City of Kingston, Transit Department:

DEFICIT:

	1977 Budget Estimate	1977 To Date	Month of April 1977	Month of April 1976
Operating	$1,532,475	525,314	121,597	49,383
Debentures	36,200	12,067	3,017	3,849
TOTAL	$1,568,675	537,381	124,614	53,232

To Be Referred to the City of Kingston Planning Board and to the Finance and Accounts Committee

(389) From the Cataraqui Region Conservation Authority, two copies each of *"Cataraqui River Basin Flood Plain Management Study"* and *"Little Cataraqui Creek East Branch Flood Plain Mapping Study"*, which have not yet been officially adopted by the Authority.

To Be Filed

(390) From the Ministry of Culture and Recreation, notifying that a cheque in the amount of $3,406.77, issued under the authority of The Community Recreation Centres Act for the Katings Megaffin Arena and Hall, will be forwarded in approximately two weeks and expressing best wishes for success in the development of local recreation facilities.

To Be Referred to the City of Kingston Planning Board

(391) From The Ontario Association of Property Standards Officers, recommending that City Council approve a resolution that the Ontario Home Renewal Program be continued, the funding be increased, and the adoption of a property maintenance and occupancy by-law be made mandatory , by the Province, as a condition of O.H.R.P.

To Be Referred to the Public Utilities Commission

(392) From the Ministry of Transportation and Communications, Transit Office, notifying that a 1977 subsidy allocation to the City of Kingston in the amount of $236,861.00 for the Capital Asset Assistance Program has been authorized and is intended to cover the following items:

COMMUNICATIONS (Cont'd)

To Be Referred to the Public Utilities Commission (Cont'd)

(392) (Cont'd)

1.	Three Passenger Buses	-	$148,924.00
2.	Four Dial-A-Bus Units	-	82,500.00
3.	7 Fare Boxes	-	2,887.00
4.	2 Bus Shelters	-	2,550.00
			$236,861.00

To Be Referred to Transportation Committee, City of Kingston Planning Board and Finance and Accounts Committee

(393) Copy of a letter from Pryal & Headrick, Barristers & Solicitors, acting for Gerald Splinter Limited, submitting a proposal for two 68 unit apartment buildings and in order to provide satisfactory access to the site requesting:

1. Conveyance of the land which would provide the roadway to Gerald Splinter Limited for the sum of $1.00;
2. Gerald Splinter Limited agrees to construct an access road to City standards;
3. Upon completion to City standards, roadway to be conveyed to the City for the sum of $1.00.

PETITIONS

REPORTS

REPORT NO. 66

June 14, 1977.

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. WHEREAS application has been received from Messrs. Jacob, MacPherson, Stewart and Hogan, Solicitors for owners of property located at the northwest corner of Queen and Clergy Streets, to amend the Official Plan and Zoning By-Law No. 8499 from A Residential (one & two family) to C Commercial for the purposes of allowing use of the building as a Law Office; and

   WHEREAS the subject property is located on the boundary between the Central Business District and the adjacent residential neighbourhood to the north; and

   WHEREAS the proposed change is considered to be minor in nature and will not have an adverse effect on either the Central Business District or the N.I.P. Area;

   BE IT RESOLVED that:

   (A) The Official Plan be amended by adding the following to the policies for Specific Area No. 4 as Section 5 (54c):

   "Notwithstanding the policies for Specific Area No. 4 regarding the preferred location and nature of commercial and service establishments, lawyers offices may be established at the northwest corner of Clergy and Queen Streets."

   (B) Zoning By-Law No. 8499 be amended as follows:

   a) By amending Zoning Map No. 18 so as to rezone the approximately 0.2 acre parcel of land located at the northwest corner of Clergy and Queen Streets as shown on a copy of Zoning Map No. 18 which is attached hereto as Schedule 'A', from A (one and two-family) Residential to A.132 (one and two-family) Residential.

   b) By adding as section 132 the following:

   "132. On the approximately 0.2 acre parcel of land located at the northwest corner of Clergy and Queen Streets and designated A.132 on Zoning Map No. 18 attached to and forming part of By-Law No. 9045 as Schedule 'A';

   (a) The permitted uses shall also include lawyers offices provided that they are located within the existing building.

   (b) All uses, including any alterations and additions, shall be subject to the regulations for Development Control as set out in Section 5.30 (a), (b) and (d)."

   (c) subject to the design and buffering of the parking area being carried out to the specification of the City.

2. That Council does hereby certify that By-Law No. 9045, "A By-Law to Amend By-Law No. 8499, 'Restricted Area' (Zoning) By-Law of the Corporation of the City of Kingston (Rezone 0.2 acre Parcel of Land Located at the Northwest Corner of Clergy and Queen Streets from A (One and Two-Family) Residential to A.132 (One and two-family Residential)", is in conformity with the Official Plan of the Corporation of the City of Kingston when the foregoing concurrent amendment proposed in Clause 1A has been approved.

3. WHEREAS application has been filed by Dacon Corporation Limited to amend Zoning By-Law No. 8499 with respect to a 7.84 acre parcel of land located south of Elmwood Road and north of Bath Road, from B1 (Multiple Family) Residential to B3 (Multiple Family) Residential, thereby increasing the permitted density from 28 to 50 dwelling units per acre; and

WHEREAS it is the opinion of Planning Board that such application would cause undesirable overcrowding;

BE IT RESOLVED that the application be not approved.

4. WHEREAS application has been filed by Dacon Corporation Limited to amend Zoning By-Law No. 8499 with respect to a 4.9 acre parcel of land located north of Elmwood Street and west of Sir John A. Macdonald Boulevard from B1 (Multiple Family) Residential to B3 (Multiple Family) Residential, thereby increasing the permitted density from 28 to 50 dwelling units per acre; and

WHEREAS the proposed Amendment is in conformity with the Official Plan which designates the subject property for high density residential:

BE IT RESOLVED that:

(A) Zoning By-Law No. 8499 be amended as follows:

a) By amending Zoning Map No. 21 so as to rezone the approximately 4.9 acre parcel of land located north of Elmwood Street and west of Sir John A. Macdonald Boulevard as shown on a copy of Zoning Map No. 21 which is attached hereto as Schedule 'A', from B1 (multiple family) Residential to B3.133 (multiple family) Residential;

b) By adding as Section 133 the following:

"133. On the approximately 4.9 acre parcel of land located north of Elmwood Street and west of Sir John A. Macdonald Boulevard and designated B3.133 on a copy of Zoning Map No. 21 attached to and forming part of By-Law No. 9046 as Schedule 'A', the maximum number of permissible dwelling units shall be 229."

5. That Council does hereby certify that By-Law No. 9046 "A By-Law to Amend By-Law No. 8499, 'Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston' (Rezone 4.9 acre parcel of Land Located North of Elmwood Street and West of Sir John A. Macdonald Boulevard from B1 (multiple family) Residential to B3 (Multiple Family) Residential)', is in conformity with the Official Plan of the Corporation of the City of Kingston approved and in force.

6. That the following plans, submitted by Evangel Pentecostal Church, for a Church on the east side of Wilson Street at Compton Street:

Drawing No. 1	North Elevation	March, 1977
Drawing No. 2	Main Floor	March, 1977
Drawing No. 3	Lower Level	April, 1977
Drawing No. 4	South & East Elevation	April, 1977
Drawing No. 5	West Elevation & Ceiling & Wall Plan	April, 1977
Drawing No. 6	Typical Section	April, 1977

be approved, subject to the applicant entering into a development control agreement which shall include the following conditions:

a) the development shall be in accordance with the above listed plans;

b) the colours of exterior materials shall be approved by the City;

c) a parking plan shall be submitted for City approval;

d) all vehicular access and parking areas shall be paved;

e) grading of the site shall be to the satisfaction of the City Engineer;

f) any floodlighting shall be subject to City approval;

g) a landscaping plan shall be submitted for City approval and implemented within one year of the date of issuance of the Building Permit;

7. WHEREAS By-Law No. 8995 "A By-Law to Amend By-Law No. 8499, 'Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston' (Rezone 3.4 acres of land and water (Kingston Yacht Club) southerly end of Maitland and Simcoe Streets)" has been given three readings by Council and notice has been sent to the affected property owners; and

WHEREAS one letter of objection to this amendment has been received and considered by Planning Board;

THEREFORE BE IT RESOLVED that Council reaffirm By-Law No. 8995 as passed by Council on April 25, 1977.

8. WHEREAS on June 7, 1977 Planning Board recommended and Council subsequently approved Development Control Application #42-77 by Gordon F. Tompkins for a funeral home at the corner of Colborne Street and Clergy Street with the condition that any exterior air conditioning units be subject to the approval of the City; and

WHEREAS revised plans have been submitted showing exterior air conditioning units and such plans have been considered by Planning Board;

8. (Cont'd)

THEREFORE BE IT RESOLVED that the location and design of air conditioning units as shown on Plans SK-1 and Drawing No. 2, revised June 14, 1977, prepared by N.D. Garbutt Consulting Engineer, be approved, subject to the units maintaining a 15 foot minimum distance from the east side lot line.

9. WHEREAS Dacon Corporation Limited approved plan of Subdivision on Lot 19, Concession II, Registered Plan 508 (Glenarden South) was approved under Section 33 of The Planning Act on July 22, 1974; and

WHEREAS Dacon Corporation has notified the Minister that they have not been able to fulfil all the conditions of draft approval prior to the expiry of three years from the date of approval and have requested an extension of six months; and

WHEREAS the Minister of Housing has asked for a recommendation from the City as to whether or not draft approval should be extended;

THEREFORE BE IT RESOLVED that it be recommended to the Minister of Housing that draft approval be extended for a further six months until January 22nd, 1978.

(Note: This resolution was approved by members of the Planning Board in a telephone poll conducted on June 20, 1977,)

May 17, 1977.

10. WHEREAS at its meeting on May 9, 1977, Council requested that the Cataraqui Region Conservation Authority make application to the Lieutenant Governor in Council, pursuant to the provisions of the Conservation Authorities Act, to extend fill regulations from the Great Cataraqui River, on the west bank from Elliot Avenue southerly to Charles Street, thence southeasterly to the eastern end of the LaSalle Causeway, and thence northerly along the eastern City limits to Elliot Avenue, as projected; and

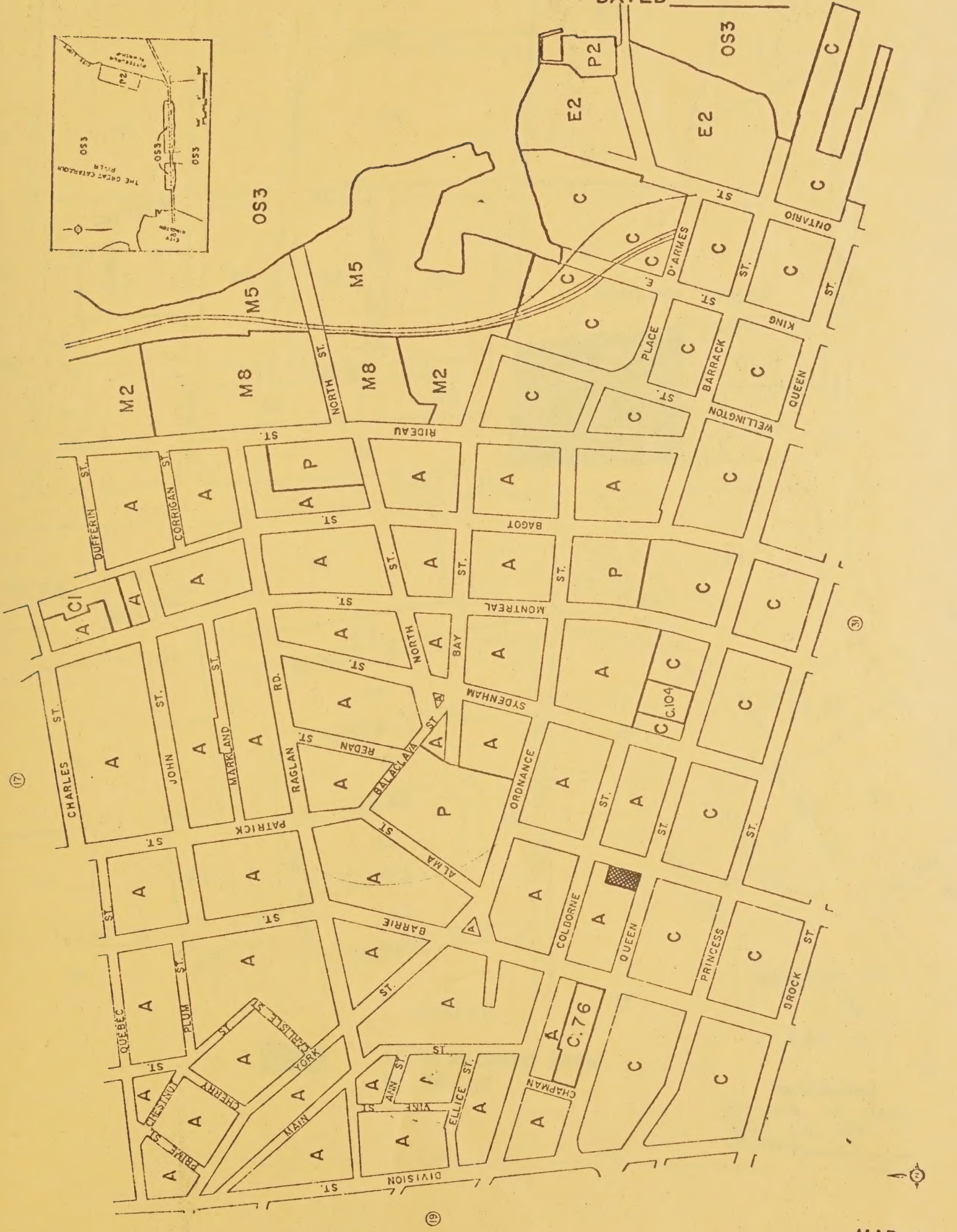
WHEREAS the Cataraqui Regional Conservation Authority has requested clarification of the boundaries within which it has authority to regulate fill in the Great Cataraqui River;

THEREFORE BE IT RESOLVED that the Conservation Authority be advised that the Fill Regulation Area shall be defined as shown on the plan attached hereto as Schedule 'A'.

Respectfully submitted,

CHAIRMAN

SCHEDULE A
BY-LAW Nº 9045
DATED ____________



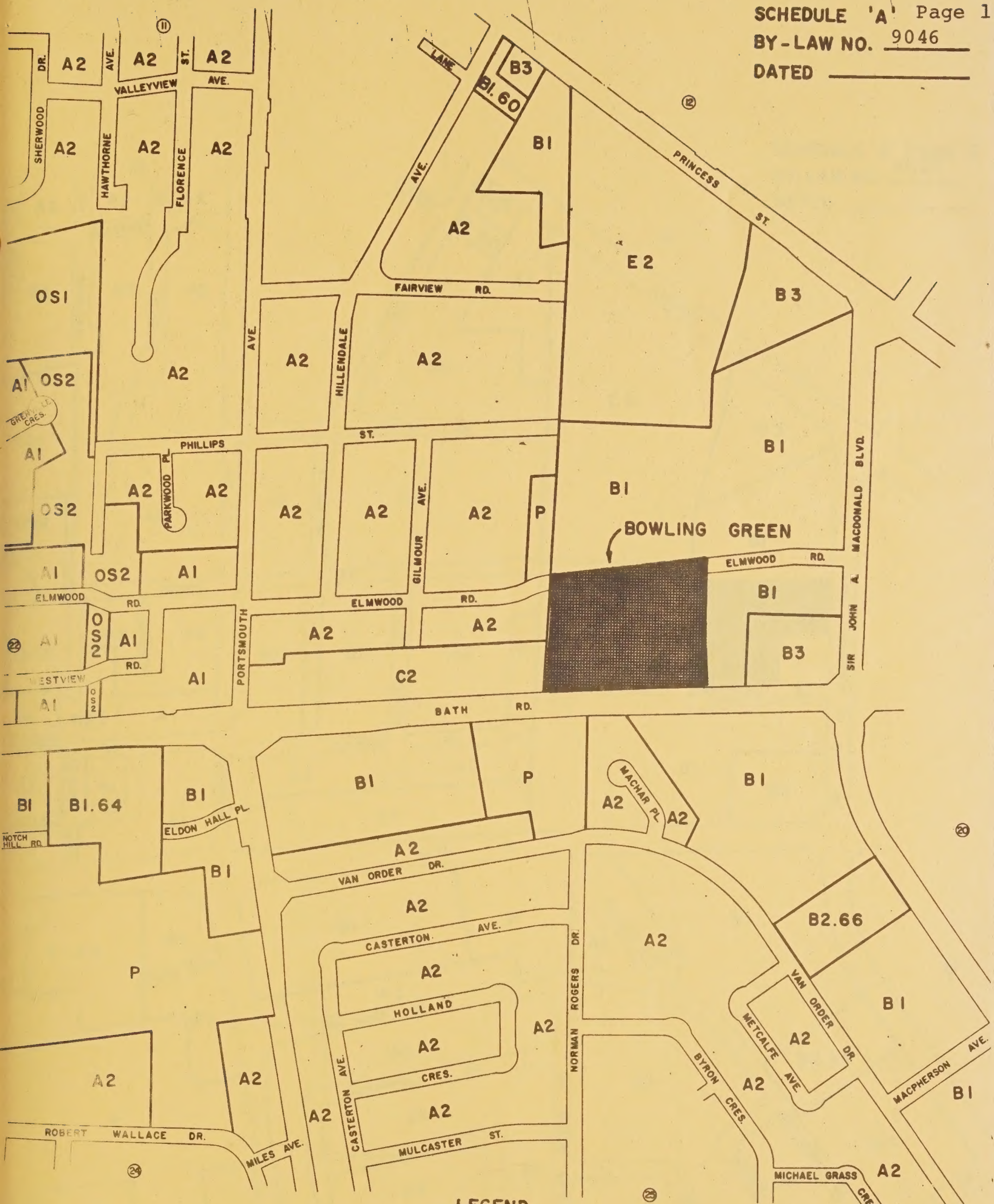
LEGEND

▨ TO BE REZONED FROM A TO C.132

MAP 18

BY-LAW Nº 8499
JULY 28, 1975
REVISED____________

SCHEDULE 'A' Page 1
BY-LAW NO. 9046
DATED ____________



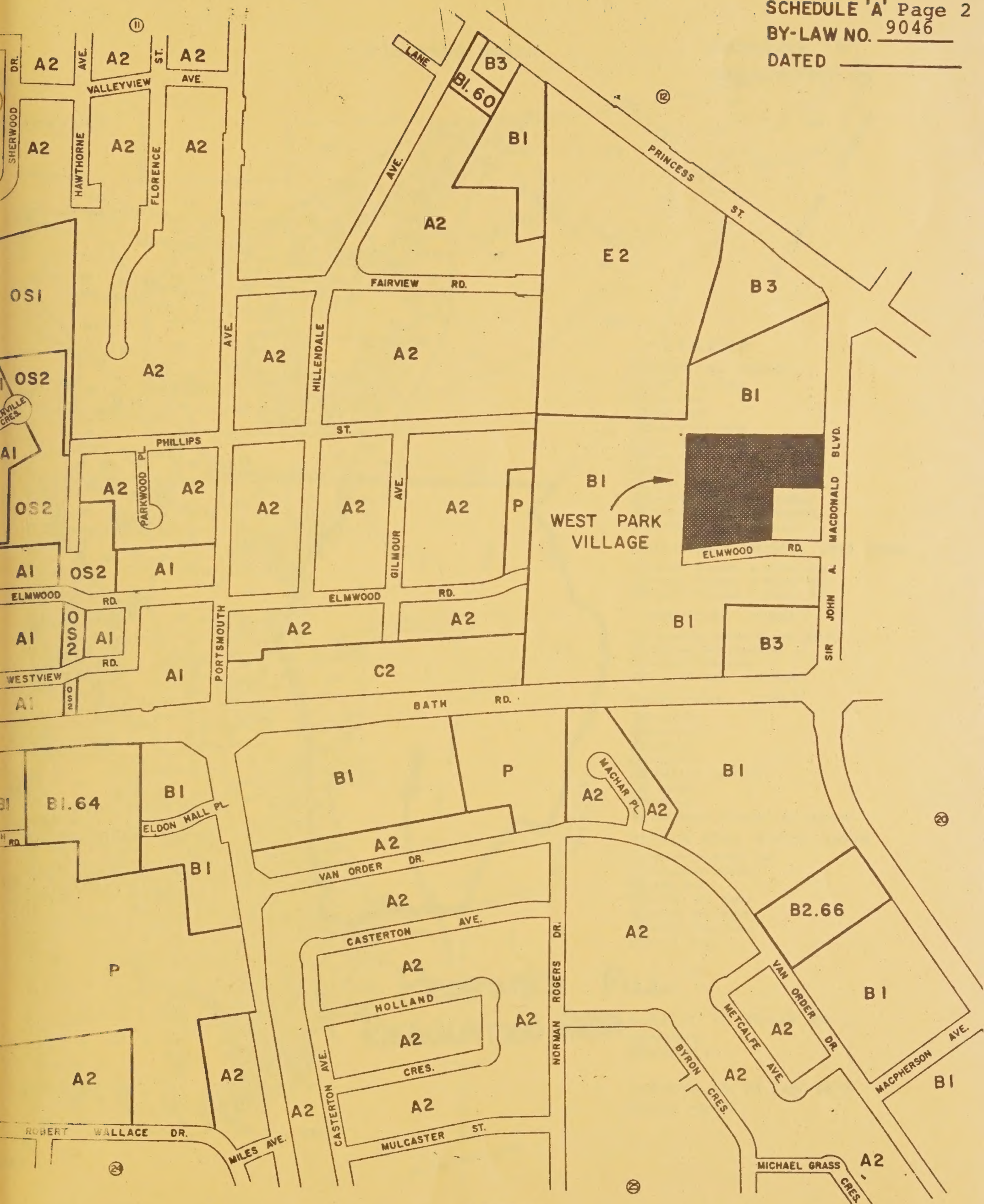
LEGEND

▨ TO BE REZONED FROM B1 TO B3

MAP 21

BY-LAW Nº 8499
JULY 28, 1975
REVISED ____________

SCHEDULE 'A' Page 2
BY-LAW NO. 9046
DATED ____________



LEGEND

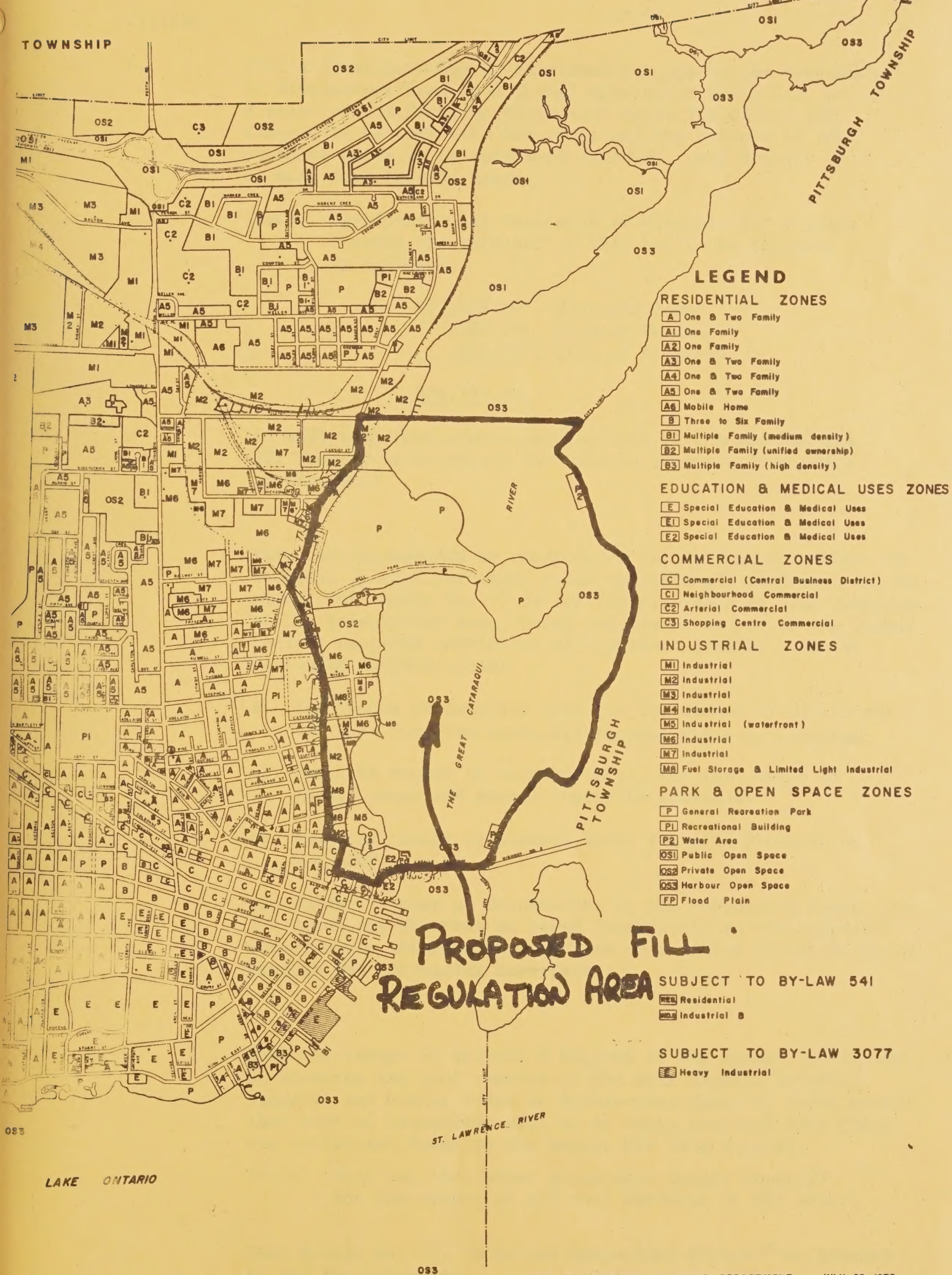
▨ TO BE REZONED FROM BI TO B3.133

MAP 21

BY-LAW Nº 8499
JULY 28, 1975
REVISED

Planning Board

Schedule 'A'
Report No. 65



CITY OF KINGSTON PLANNING DEPARTMENT JULY 28, 1975

REPORT NO. 67

June 16, 1977.

To the Mayor and Members of Council:

The Community Services Committee reports and recommends as follows:

1. That a wheelchair bus be purchased for use by the residents at Rideaucrest Home from Travel Mate Motor Homes Ltd. at a price of $32,500 plus Provincial Sales Tax with a 20% deposit to be made with the order and the balance of the purchase price to be paid upon delivery, said deposit to be made from bequest funds.

(Note: Application has been made to Wintario for a grant towards the purchase of this bus to be financed as follows:

$17,387.50	Wintario Grant
17,185.78	Bequest Funds
201.72	City of Kingston
$34,775.00	

It will take four months for delivery of the bus and the 20% deposit is necessary in order to obtain a firm price commitment.)

2. That, as recommended by the Director of Purchasing tenders be accepted in part for those items respectively indicated in the summary of tender No. 77-24 for the provision of food supplies at the Rideaucrest Home, being the lowest or one of the lowest tenders received consistent with product quality with the following modifications:

a) The tender of Anderson Bros. in the amount of $11.55 per 100 lbs. for Five Roses All Purpose Flour be accepted.

b) That the tender of Anderson Bros. for the supply of jams, honey and peanut butter be accepted.

c) That the tender of Wilmots Dairy for milk products be accepted.

and further - that as recommended by the Purchasing Agent, the ice cream and sherbets be added temporarily to the unlisted requirements intended for purchase on a weekly quotation basis through the Purchasing Department.

3. That the tender of Quintal & England in the amount of $11,400. be accepted for roof repairs to the main dining, kitchen, laundry, and boiler areas at Rideaucrest Home, it being noted that cost of insulation will be an extra item and that there are sufficient funds in the budget for this purpose.

(Note: This was the lowest acceptable tender received for the repair of all roof sections at the Home.)

4. That By-Law No. 10, "A By-Law Respecting Streets" be amended to add the following:

"No person shall use, propel, haul, or draw a skateboard, skiboard or skis on any public street, sidewalk, walkway or boulevard.".

5. That an extension of the Property Standards Order issued against the Mowat Avenue (Hospital) properties until August 31st 1977, be granted.

6. That, as requested by the Kingston Humane Society, to encourage citizens of this City to consider adopting a cat from the local Humane Shelter, the month of July be proclaimed "ADOPT-A-CAT MONTH" in the City of Kingston.

Respectfully submitted,

CHAIRMAN.

REPORT NO. 68

June 21, 1977

To the Mayor and Aldermen:

The Transportation Committee reports and recommends as follows:

1. That the City make application to Transport Canada to prepare Registered Airport Zoning Regulations and an N.E.F. (noise forecast) for Kingston Airport.

2. That, as requested by the Kingston District Folk Art Council, Ontario Street from Market Street to Brock Street be closed on July 1st, 1977 from 6:00 p.m. until 12:00 midnight, in order that they may hold a "Birthday Party for Canada" consisting of a few Canadian dance groups and a street dance.

3. That Mr. Allen Flowers be appointed to the position of Airport Supervisor, Group No. 15-11, with a salary of $18,482. (1976).

Respectfully submitted,

CHAIRMAN

REPORT NO. 69

April 16, 1977.

To the Mayor and Members of Council:

The Parks & Recreation Committee reports and recommends as follows:

1. That notwithstanding the provisions of By-Law No. 21 - A By-Law Fixing the Rental to be Charged for Memorial Hall, Committee Rooms and the Council Chamber - The United Way of Kingston and District be permitted to use the Council Chamber and John Counter Room for their Thirteenth Annual General Meeting on June 16th, 1977, from 7:30 P.M. - 10:00 P.M.

2. That as recommended by the N.I.P. Committee, the pool complex located at the corner of Ordnance Street and Montreal Street be named Artillery Park and that the park area located at the corner of Carlisle Street and Chestnut Street be named Friendship Park.

Respectfully submitted,

CHAIRMAN

Public Works Report No. 70

June 20, 1977

To the Mayor and Aldermen

The Public Works Committee recommends as follows -

1. That, since sufficiently signed petitions have been received, by-laws be passed to authorize the reconstruction of the concrete sidewalks on the following streets under the provisions of Section 7 of The Local Improvement Act -

(a) north side of Johnson St from 2 feet west of Clergy St westerly 148 feet (9 feet wide)

Total estimated cost	$4550.00
Corporation's share	2807.47
Owner's share	1742.53
Anticipated MTC subsidy	754.49
Debenture amount	3795.51

(b) north side of Johnson St from Barrie St easterly 125 feet and east side of Barrie St from Johnson St northerly 24 feet (widths vary from 4.5 feet to 9 feet)

Total estimated cost	$5500.00
Corporation's share	3805.71
Owner's share	1694.29
Anticipated MTC subsidy	871.15
Debenture amount	4628.85

provision for the above expenditures having been made in the 1977 Capital Budget.

2. That the Province of Ontario be requested to provide a Special Winter Maintenance Supplementary Allocation, in the amount of $4413.00, as shown on MTC Form No. OD-MB-27 and Support Form.

3. That, subject to the approval of the Ministry of Transportation and Communications, the tender (Contract 77/2W) of Bennett Paving and Materials Ltd, in the amount of $619,499.38, being the lowest tender received, be accepted for the following work -

(a) Reconstruct the pavements on the following streets -

Johnson St from Sir John A.Macdonald Blvd 800 ft westerly
Sir John A.Macdonald Blvd from Brock to Norman Rogers Drive
Regent St from Park to Princess St
Palace Rd from Brock to Carruthers Ave
Laneway between Raglan and John St
Stanley St from Alfred to Lansdowne St
Lansdowne St from Stanley to Adelaide St

.........../2

Pine/York Sts from Alfred to 150 ft east of Lansdowne St
George St from King to Stuart St
Unnamed St #2 from Counter St 1400 ft southerly
Industrial Road off Lappan's Lane

(b) Construct sewers in the following streets -

storm sewer in Palace Rd from Brock to Carruthers Ave
storm and sanitary sewers in Unnamed St #2 from Counter St southerly
sanitary sewer in Industrial Road offLappan's Lane

(c) Place an asphalt overlay on the pavements on the following streets excluding parking lanes -

Sir John A.Macdonald Blvd from Bath to Norman Rogers Dr
Division St from Adelaide to Pine St
Alfred St from York to Jenkins St
Adelaide St from Division to Lansdowne St
Stanley St from Lansdowne to Division St
Lansdowne St from Pine to Stanley St
King St from MacDonald to Portsmouth Ave
Carleton St from Guy to Alfred St
Chestnut St from Cherry to Prime St
Dufferin St from Rideau to Bagot St
Napier St from Johnson to Earl St
Patrick St from Balaclava to John St
Willingdon Ave from Hill to Earl St
Ontario St from William to Johnson St
Queen St from Sydenham to Montreal St
Norman Rogers Dr from Roden to Van Order Dr
Stuart St from George to University Ave
Conacher Dr from Wilson to west leg of Morenz Cr
West St from Bagot to Sydenham St
Division St at Highway 401 underpass

4. That the following conclusions and recommendations made to the Township of Kingston by Gore and Storrie Ltd in their Report on Storm Drainage Guidelines dated December 4, 1975, be endorsed and that the Township be requested to inform the City well in advance of any developments that are planned to take place in the areas tributary to the Little Cataraqui Creek.

"In these guidelines we explain and stress the need for the implementation of a storm drainage concept for the Township. This must be worked out in close co-operation with the Region Conservation Authority and the Conservation Authority's Branch of the Ministry of Natural Resources. It is also suggested to include some form of Storm Water Management Technique to prevent permanent damage to the natural sub-culture along the water courses and the shores of the Lake, to maintain their recreation value.

We recommend that because of the high costs involved for a thorough study of the Township, one system be examined in detail before making the next step. It is possible that some financial assistance would be available for this work."

Respectfully submitted,

Chairman

REPORT NO. 71

June 23, 1977

To the Mayor and Members of Council:

The Committee on Finance and Accounts reports and recommends as follows:

1. That as recommended by the Director of Purchasing, the tender of Uniroyal Centres, 780 Gardiners Road, for the supply of tires, and repair and service calls for the period July 1, 1977 to June 30, 1978, as detailed in Summary of Tender 77-21, a copy of which had been distributed to all members of Council on June 3, be accepted.

2. That the following budget appropriation amendment be approved in order to provide a grant of $3500 to the Senior Citizens Council of Kingston and Area for the year 1977;

EXPENDITURES	INCREASE	DECREASE
FINANCE		
Grant - Senior Citizens Council	$3500	-
Contingencies -	-	$3500

3. That Ms. Nina R. Mohan be appointed a member of the Kingston and Area Planning Board for a term ending January 1, 1979.

4. That the following budget appropriation amendment be approved in order to provide funds to the Block Parent Committee, Portsmouth School area, in the amount of $1000 to assist in the implementation of a pilot project in the City of Kingston:

EXPENDITURES	INCREASE	DECREASE
FINANCE		
Grant - Block Parent Committee	$1000	-
Contingencies -	-	$1000

5. That the resignation of Dr. Lorne E. Carpenter as a member of the Housing Subcommittee be accepted with regret and that the appreciation of Council for his community service be expressed to Dr. Carpenter.

6. That Mr. Lloyd Edwards be appointed a member of the Housing Subcommittee for a term ending December 31, 1978.

7. That an agreement be entered into with Lamb Real Estate and Insurance Limited to manage the following residential housing units owned by the City of Kingston and any future residential housing units that are acquired by the City for a management fee of 4% of the rental charge:

   61 Yonge Street
   97 Yonge Street
   99 Yonge Street
   101 Yonge Street
   Calvin Park House
   30 Rideau Street
   40 Rideau Street

8. That the following budget appropriation amendment by approved in order to provide funds for the payment of a grant to the town of Cobalt's Disaster Fund:

EXPENDITURES	INCREASE	DECREASE
FINANCE		
Grant - Town of Cobalt	$1000	-
Contingencies -	-	$1000

9. That a By-Law be presented to Council to authorize the execution of an agreement with Ontario Hydro granting permission in perpetuity the right to install and maintain two anchors, with wires attached thereto, on the City property on the North side of Counter Street directly opposite the Frontenac Transformer Station for the sum of $70.00.

10. Whereas the architects have been unable to schedule tenders for shelving to be ready for Council meeting on July 11, 1977:

    That as recommended by the Clerk-Comptroller, authority is hereby delegated to the Finance and Accounts Committee to approve the award for a tender for library shelving as recommended by the Public Library Board, on the understanding that the action of the Finance and Accounts Committee will be reported to Council at its next meeting.

11. That, as recommended by the Kingston Public Library Board, the following Change Order be approved, to be charged to the Contingency Fund in the contract:
    CHANGE ORDER NO. 19:

		ADD	DEDUCT
(1)	BALUSTRADE TO STAIR #4 Add reinforcing to stair 4 railing	244.00	
(2)	SANDBLASTING 36 COLUMNS on 1st & 2nd FLOORS	2184.00	
	less saving for painting		520.00
(3)	METAL PIPE ENCLOSURE WITH SLOPING FRONT	556.56	
	less credit		92.80
(4)	STONE STEPS over heating cable instead of concrete	1250.00	
(5)	CONCRETE UNDER RAMP LEADING TO COVERED PARKING AREA instead of 2" asphalt	1427.60	
(6)	REVISED TWO WINDOWS TO BISHOP'S HOUSE plus screens,	270.00	
	less credit for fixed glazing		116.00
(7)	ACCESS WAY IN CEILING TO 3RD FLOOR	200.55	
		6142.71	728.80
	NET TOTAL COST	$5,413.91	

12. That, as recommended by Parks and Recreation Committee, an agreement be entered into with Domino Theatre to rent 600 square feet of space in the adjoining building at 370 King Street West for storage purposes at the rate of $25.00 per month for the remainder of 1977, subject to review in January 1978.

13. That, as recommended by the Parks and Recreation Committee, the City of Kingston make application to Wintario for $15,000.00 for the Waterfront Development Project on the understanding that the City of Kingston will advance funds for the Waterfront Development Project against the Wintario grant of $15,000.00 for material, supplies, as follows:

    (1.) After conditional approval of Wintario Grant;

    (2.) Not exceeding twice the value of donations received in a form acceptable for Wintario accounting; and

    (3.) That the City accept the public and corporate donations in the form of cash, labour donations, material donations, discounts, etc., as accepted by Wintario.

14. That the account of Weir & Foulds, barristers and solicitors, for legal services in connection with the preparation of and Ontario Municipal Board hearings on Zoning By-Law No. 8950 (Senior Citizens - Bagot Street) in the amount of $964.34 be authorized for payment, to be charged to the appropriation "Planning - Zoning By-Law Amendments".

15. That, as requested by the Kingston Silver Jubilee Committee, City Council endorses their proposal to have a marquee where beer will be served located on the former Confederation Park Parking Lot as part of the Silver Jubilee celebrations on Saturday, July 16, 1977, subject to the approval of Allimor Corporation to the use of the land.

Respectfully submitted,

CHAIRMAN.

UNFINISHED BUSINESS

BY-LAWS

(A) That By-Laws 1 to 7 be given their first and second readings.

(B) That Rule 35 of By-Law No. 1 be suspended for the purpose of giving By-Laws 4 to 7 their third reading.

(C) That By-Laws 4 to 12 be given their third reading.

(1) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Rezone 0.2 Acre Parcel of Land Located at the Northwest Corner of Clergy and Queen Streets from A (One and Two-Family) Residential to A.132 (One and Two-Family Residential)

(FIRST AND SECOND READING) (PROPOSED NO. 9045)
Clause 1(B), Report No. 66, 1977

(2) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Rezone 4.9 Acre Parcel of Land Located North of Elmwood Street and West of Sir John A. Macdonald Boulevard From B1 (Multiple Family) Residential to B3 (Multiple Family)Residential)

(FIRST AND SECOND READING) (PROPOSED NO. 9046)
Clause 4, Report No. 66, 1977

(3) A By-Law to Authorize the Reconstruction of Certain Concrete Sidewalks Under the Provisions of Section 7 of The Local Improvement Act (Petition)

(FIRST AND SECOND READING) (PROPOSED NO. 9047)
Clause 1, Report No. 70, 1977

(4) A By-Law to Authorize the Construction, in the Industrial Park, of Roadways, Curbs and Entrances, Sanitary Sewers, Watermains and Street Lighting (General Rate)

(THREE READINGS) (PROPOSED NO. 9048)
Clause 12, Report No. 126, 1976
and
Clause 6, Report No. 2, 1977

(Note: Total amount of the Construction Work is $175,000.)

(5) A By-Law to Amend the Official Plan of the City of Kingston Planning Area (Amendment No. 90: Northwest Corner Clergy at Queen Street - Law Office)

(THREE READINGS) (PROPOSED NO. 9049)
Clause 1(A), Report No. 66, 1977

(6) A By-Law to Authorize the Execution of an Agreement with Ontario Hydro (Easement for Anchors on North Side of Counter Street Opposite the Frontenac Transformer Station)

(THREE READINGS) (PROPOSED NO. 9050)
Clause 9, Report No. 71, 1977

(7) A By-Law to Confirm the Proceedings of Council at Its Meeting Held on June 27, 1977.

(THREE READINGS) (PROPOSED NO. 9051)

BY-LAWS (Cont'd)

(8) A By-Law to Authorize the Reconstruction of the King Street Pavement Between Queen Street and Princess Street, Under the Provisions of Section 7 of the Local Improvement Act (Petition)

(THIRD READING) (PROPOSED NO. 8945)
Clause 4, Report No. 111, 1976

(9) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of The City of Kingston, Subject to the Provisions of The Highway Traffic Act" (Clauses 1 and 2, Report No. 61)

(THIRD READING) (PROPOSED NO. 9033)
Clauses 1 and 2, Report No. 61, 1977

(10) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of The City of Kingston" (Rezone 10 Acres East of Yonge Street and South of King Street, From P Parks, Open Space and Flood Plain (General Recreation Park), to P.131 Parks, Open Space and Flood Plain (General Recreation Park) and to Expand Uses)

(THIRD READING) (PROPOSED NO. 9035)
Clause 1, Report No. 63, 1977

(11) A By-Law to Amend the Official Plan of The City of Kingston Planning Area (Amendment No. 81: Establishment of Heritage Conservation Districts)

(THIRD READING) (PROPOSED NO. 9036)
Clause 7(1), Report No. 63, 1977

(12) A By-Law to Define the Market Square Area as an Area to be Studied For Possible Future Designation as a Heritage Conservation District Under Section 40(1) of The Ontario Heritage Act, 1974

(THIRD READING) (PROPOSED NO. 9037)
Clause 7(2), Report No. 63, 1977

MOTIONS

Local Govt.

CITY COUNCIL MEETING NO. 18

The Regular Meeting of City Council was held in the Council Chamber at City Hall on Monday, June 27, 1977 at 8:01 P.M. His Worship Mayor Keyes presided.

ROLL CALL

Mayor Keyes, Ald. Allmark, Ald. Clements, Ald. French, Ald. Gerretsen, Ald. Gorham (arrived at 8:02 P.M.), Ald. Hawkins, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb (arrived at 8:22 P.M.). (13)

PRESENTATION

Dr. R.C. Burr and Miss Sylvia Birkenshaw, representing the St. John Ambulance Brigade, Kingston, presented a certificate to the City of Kingston from;

> The Most Venerable Order of the
> Hospital of St. John of Jerusalem,
> The Priory of Canada

Expressing special thanks to the Corporation of the City of Kingston for valuable assistance rendered in the furtherance of the work of the Order in connection with the Priory of Canada.

TABLING OF DOCUMENTS

MINUTES

Moved by Ald. Allmark,
Seconded by Ald. Clements,

That the Minutes of City Council Meeting No. 16, held on June 13, 1977, and the Minutes of Special City Council Meeting No. 17, held on June 13, 1977 be adopted as printed.

CARRIED

COMMUNICATIONS

Council consented to the addition of Communications 394 to 398.

Filed

(382) From "The Limestone Golden Years Club" thanking Council for their grant for 1977.

(383) Copy of *"Background"* dated June 3, 1977 from the Honourable Darcy McKeough, Treasurer of Ontario.

(Note: Copy has been distributed to each member of Council.)

COMMUNICATIONS (Cont'd)

Filed (Cont'd)

(384) From Central Mortgage and Housing Corporation a cheque in the amount of $2,645.00 which represents payment for fees re: RRAP Agency Agreement Reimbursement for Administration for May 1977.

(385) Copy of letter from the Association of Municipalities of Ontario to the Treasurer of Ontario notifying that the Association's Board of Directors endorse the resolution of the City of Kingston requesting an amendment to The Municipal Act for authority on temporary closing of streets.

Which Had Been Referred to the City of Kingston Planning Board

(386) From the Ministry of Housing, Community Development, acknowledging receipt of Council's resolution (R. 54 (5) 77) approving the plans for the proposed Senior Citizens Housing project at the corner of Rideau and Ordnance Streets and requesting that the development control conditions, which contravene the tendering policy which has been very successfully implemented by the Province over the past 3½ years, be reconsidered by the City and rescinded.

Filed

(387) Minutes of the Executive of the Cataraqui Region Conservation Authority held on June 8th, 1977.

(388) Statement of Revenue & Expenditures for the period ending April 1977 from the Public Utilities Commission of the City of Kingston, Transit Department:

DEFICIT:

	1977 Budget Estimate	1977 To Date	Month of April 1977	Month of April 1976
Operating	$1,532,475	525,314	121,597	49,383
Debentures	36,200	12,067	3,017	3,849
TOTAL	$1,568,675	537,381	124,614	53,232

Referred to the City of Kingston Planning Board and to the Finance and Accounts Committee

(389) From the Cataraqui Region Conservation Authority, two copies each of *"Cataraqui River Basin Flood Plain Management Study"* and *"Little Cataraqui Creek East Branch Flood Plain Mapping Study"*, which have not yet been officially adopted by the Authority.

COMMUNICATIONS (Cont'd)

Filed

(390) From the Ministry of Culture and Recreation, notifying that a cheque in the amount of $3,406.77, issued under the authority of The Community Recreation Centres Act for the Katings Megaffin Arena and Hall, will be forwarded in approximately two weeks and expressing best wishes for success in the development of local recreation facilities.

Referred to the City of Kingston Planning Board

(391) From The Ontario Association of Property Standards Officers, recommending that City Council approve a resolution that the Ontario Home Renewal Program be continued, the funding be increased, and the adoption of a property maintenance and occupancy by-law be made mandatory , by the Province, as a condition of O.H.R.P.

Referred to the Public Utilities Commission

(392) From the Ministry of Transportation and Communications, Transit Office, notifying that a 1977 subsidy allocation to the City of Kingston in the amount of $236,861.00 for the Capital Asset Assistance Program has been authorized and is intended to cover the following items:

1.	Three Passenger Buses	-	$148,924.00
2.	Four Dial-A-Bus Units	-	82,500.00
3.	7 Fare Boxes	-	2,887.00
4.	2 Bus Shelters	-	2,550.00
			$236,861.00

Referred to Transportation Committee, City of Kingston Planning Board and Finance and Accounts Committee

(393) Copy of a letter from Pryal & Headrick, Barristers & Solicitors, acting for Gerald Splinter Limited, submitting a proposal for two 68 unit apartment buildings and in order to provide satisfactory access to the site requesting:

1. Conveyance of the land which would provide the roadway to Gerald Splinter Limited for the sum of $1.00;
2. Gerald Splinter Limited agrees to construct an access road to City standards;
3. Upon completion to City standards, roadway to be conveyed to the City for the sum of $1.00.

Filed

(394) Remarks by The Honourable W. Darcy McKeough, Treasurer of Ontario and M.P.P. for Chatham-Kent, to the Association of Municipal Clerks and Treasurers of Ontario at a meeting on June 21, 1977.

COMMUNICATIONS (Cont'd)

Filed (Cont'd)

(395) From the Ministry of Transportation and Communications, authorizing a 1977 Subsidy Allocation for Transit Operating Deficit of $388,294.

Referred to Public Works Committee & Transportation Committee

(396) From The Ministry of Transportation and Communications, a copy of *"Go Metric"* which is a key document in the conversion of highway design and construction to a metric basis and requesting that municipalities and their consultants follow a similar philosphy and the definitions and criteria described in it.

Referred to Transportation Committee

(397) From Regional Municipality of Ottawa-Carleton, requesting endorsement of a resolution requesting the Provincial Government to amend the relevant sections of the Highway Traffic Act and the Regional Municipality of Ottawa-Carleton Act to provide for a uniform minimum speed limit of 45 kph within urban areas following the adoption of metric signing in September 1977, and that this speed limit be in effect without the erection of signs.

Referred to the City of Kingston Planning Board

(398) From NIP Citizens' Committee expressing their concerns in regards to Planning Board's recommendation to rezone 235-237 Queen Street to commercial.

PETITIONS

REPORTS

Ald. Clements presented Report No. 66 of the City of Kingston Planning Board as follows:

Moved by Ald. Clements,
Seconded by Ald. Timmins,

That Report No. 66 of the City of Kingston Planning Board be received and adopted clause by clause.

REPORTS (Cont'd)

Report No. 66 - City of Kingston Planning Board (Cont'd)

REPORT NO. 66

June 14, 1977.

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. WHEREAS application has been received from Messrs. Jacob, MacPherson, Stewart and Hogan, Solicitors for owners of property located at the northwest corner of Queen and Clergy Streets, to amend the Official Plan and Zoning By-Law No. 8499 from A Residential (one & two family) to C Commercial for the purposes of allowing use of the building as a Law Office; and

WHEREAS the subject property is located on the boundary between the Central Business District and the adjacent residential neighbourhood to the north; and

WHEREAS the proposed change is considered to be minor in nature and will not have an adverse effect on either the Central Business District or the N.I.P. Area;

BE IT RESOLVED that:

(A) The Official Plan be amended by adding the following to the policies for Specific Area No. 4 as Section 5 (54c):

"Notwithstanding the policies for Specific Area No. 4 regarding the preferred location and nature of commercial and service establishments, lawyers offices may be established at the northwest corner of Clergy and Queen Streets."

(B) Zoning By-Law No. 8499 be amended as follows:

a) By amending Zoning Map No. 18 so as to rezone the approximately 0.2 acre parcel of land located at the northwest corner of Clergy and Queen Streets as shown on a copy of Zoning Map No. 18 which is attached hereto as Schedule 'A', *(Page 360)* from A (one and two-family) Residential to A.132 (one and two-family) Residential.

b) By adding as section 132 the following:

"132. On the approximately 0.2 acre parcel of land located at the northwest corner of Clergy and Queen Streets and designated A.132 on Zoning Map No. 18 attached to and forming part of By-Law No. 9045 as Schedule 'A';

(a) The permitted uses shall also include lawyers offices provided that they are located within the existing building.

(b) All uses, including any alterations and additions, shall be subject to the regulations for Development Control as set out in Section 5.30 (a), (b) and (d)."

REPORTS (Cont'd)

Report No. 66 - City of Kingston Planning Board (Cont'd)

1. (Cont'd)

(c) subject to the design and buffering of the parking area being carried out to the specification of the City.

(See By-Laws 1 and 5: No. 9045 and 9049) *CARRIED 11:1*

2. That Council does hereby certify that By-Law No. 9045, "A By-Law to Amend By-Law No. 8499, 'Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston (Rezone 0.2 acre Parcel of Land Located at the Northwest Corner of Clergy and Queen Streets from A (One and Two-Family) Residential to A.132 (One and two-family Residential)", is in conformity with the Official Plan of the Corporation of the City of Kingston when the foregoing concurrent amendment proposed in Clause 1A has been approved.

CARRIED 11:1
(Ald. Clements opposed)

3. WHEREAS application has been filed by Dacon Corporation Limited to amend Zoning By-Law No. 8499 with respect to a 7.84 acre parcel of land located south of Elmwood Road and north of Bath Road, from B1 (Multiple Family) Residential to B3 (Multiple Family) Residential, thereby increasing the permitted density from 28 to 50 dwelling units per acre; and

WHEREAS it is the opinion of Planning Board that such application would cause undesirable overcrowding;

BE IT RESOLVED that the application be not approved.

CARRIED 11:1
(Ald. McArthur opposed)

4. WHEREAS application has been filed by Dacon Corporation Limited to amend Zoning By-Law No. 8499 with respect to a 4.9 acre parcel of land located north of Elmwood Street and west of Sir John A. Macdonald Boulevard from B1 (Multiple Family) Residential to B3 (Multiple Family) Residential, thereby increasing the permitted density from 28 to 50 dwelling units per acre; and

WHEREAS the proposed Amendment is in conformity with the Official Plan which designates the subject property for high density residential:

BE IT RESOLVED that:

(A) Zoning By-Law No. 8499 be amended as follows:

a) By amending Zoning Map No. 21 so as to rezone the approximately 4.9 acre parcel of land located north of Elmwood Street and west of Sir John A. Macdonald Boulevard as shown on a copy of Zoning Map No. 21 which is attached hereto as Schedule 'A', *(Page 362)* from B1 (multiple family) Residential to B3.133 (multiple family) Residential;

REPORTS (Cont'd)

Report No. 66 - City of Kingston Planning Board (Cont'd)

4. (Cont'd)

b) By adding as Section 133 the following:

"133. On the approximately 4.9 acre parcel of land located north of Elmwood Street and west of Sir John A. Macdonald Boulevard and designated B3.133 on a copy of Zoning Map No. 21 attached to and forming part of By-Law No. 9046 as Schedule 'A', the maximum number of permissible dwelling units shall be 229."

(See By-Law 2: No. 9046)

CARRIED 8:4

(Ald. Allmark, Ald. Matthews, Ald. Tarnowecky, Ald. Timmins opposed)

5. That Council does hereby certify that By-Law No. 9046 "A By-Law to Amend By-Law No. 8499, 'Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston' (Rezone 4.9 acre parcel of Land Located North of Elmwood Street and West of Sir John A. Macdonald Boulevard from B1 (multiple family) Residential to B3.133 (Multiple Family) Residential)', is in conformity with the Official Plan of the Corporation of the City of Kingston approved and in force.

CARRIED 10:2

(Ald. Allmark and Ald. Tarnowecky opposed)

Ald. Gorham declared a conflict of interest in Clause 6, since he acts as solicitor for the Church.

6. That the following plans, submitted by Evangel Pentecostal Church, for a Church on the east side of Wilson Street at Compton Street:

Drawing No. 1	North Elevation	March, 1977
Drawing No. 2	Main Floor	March, 1977
Drawing No. 3	Lower Level	April, 1977
Drawing No. 4	South & East Elevation	April, 1977
Drawing No. 5	West Elevation & Ceiling & Wall Plan	April, 1977
Drawing No. 6	Typical Section	April, 1977

be approved, subject to the applicant entering into a development control agreement which shall include the following conditions:

a) the development shall be in accordance with the above listed plans;

b) the colours of exterior materials shall be approved by the City;

c) a parking plan shall be submitted for City approval;

d) all vehicular access and parking areas shall be paved;

e) grading of the site shall be to the satisfaction of the City Engineer;

f) any floodlighting shall be subject to City approval;

REPORTS (Cont'd)

Report No. 66 - City of Kingston Planning Board (Cont'd)

6. (Cont'd)

g) a landscaping plan shall be submitted for City approval and implemented within one year of the date of issuance of the Building Permit.

CARRIED 11:0
(Ald. Gorham abstained)

Ald. Webb arrived at 8:22 P.M.

7. WHEREAS By-Law No. 8995 "A By-Law to Amend By-Law No. 8499, 'Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston' (Rezone 3.4 acres of land and water (Kingston Yacht Club) southerly end of Maitland and Simcoe Streets)" has been given three readings by Council and notice has been sent to the affected property owners; and

WHEREAS one letter of objection to this amendment has been received and considered by Planning Board;

THEREFORE BE IT RESOLVED that Council reaffirm By-Law No. 8995 as passed by Council on April 25, 1977.

CARRIED 13:0

8. WHEREAS on June 7, 1977 Planning Board recommended and Council subsequently approved Development Control Application #42-77 by Gordon F. Tompkins for a funeral home at the corner of Colborne Street and Clergy Street with the condition that any exterior air conditioning units be subject to the approval of the City; and

WHEREAS revised plans have been submitted showing exterior air conditioning units and such plans have been considered by Planning Board;

THEREFORE BE IT RESOLVED that the location and design of air conditioning units as shown on Plans SK-1 and Drawing No. 2, revised June 14, 1977, prepared by N.D. Garbutt Consulting Engineer, be approved, subject to the units maintaining a 15 foot minimum distance from the east side lot line.

CARRIED

9. WHEREAS Dacon Corporation Limited approved plan of Subdivision on Lot 19, Concession II, Registered Plan 508 (Glenarden South) was approved under Section 33 of The Planning Act on July 22, 1974; and

WHEREAS Dacon Corporation has notified the Minister that they have not been able to fulfil all the conditions of draft approval prior to the expiry of three years from the date of approval and have requested an extension of six months; and

WHEREAS the Minister of Housing has asked for a recommendation from the City as to whether or not draft approval should be extended;

REPORTS (Cont'd)

Report No. 66 - City of Kingston Planning Board (Cont'd)

9. (Cont'd)

THEREFORE BE IT RESOLVED that it be recommended to the Minister of Housing that draft approval be extended for a further six months until January 22nd, 1978.

(Note: This resolution was approved by members of the Planning Board in a telephone poll conducted on June 20, 1977,)

CARRIED

May 17, 1977.

10. WHEREAS at its meeting on May 9, 1977, Council requested that the Cataraqui Region Conservation Authority make application to the Lieutenant Governor in Council, pursuant to the provisions of the Conservation Authorities Act, to extend fill regulations from the Great Cataraqui River, on the west bank from Elliot Avenue southerly to Charles Street, thence southeasterly to the eastern end of the LaSalle Causeway, and thence northerly along the eastern City limits to Elliot Avenue, as projected; and

WHEREAS the Cataraqui Regional Conservation Authority has requested clarification of the boundaries within which it has authority to regulate fill in the Great Cataraqui River;

THEREFORE BE IT RESOLVED that the Conservation Authority be advised that the Fill Regulation Area shall be defined as shown on the plan attached hereto as Schedule 'A'.

CARRIED

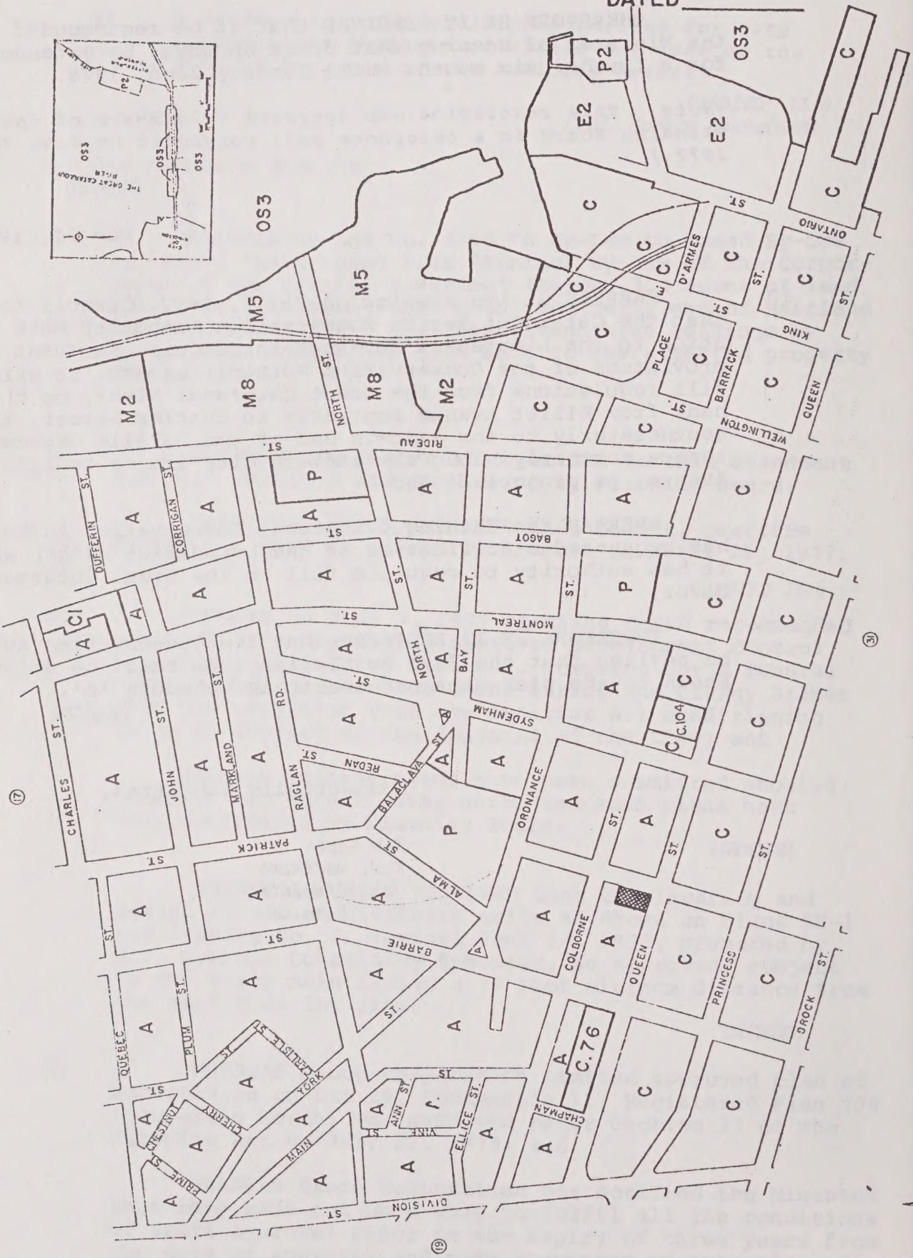
Respectfully submitted,

(SIGNED)

Ken Keyes
K.W. Matthews
John Clements
D.G. Timmins

* * *

SCHEDULE A
BY-LAW No 9045
DATED ________



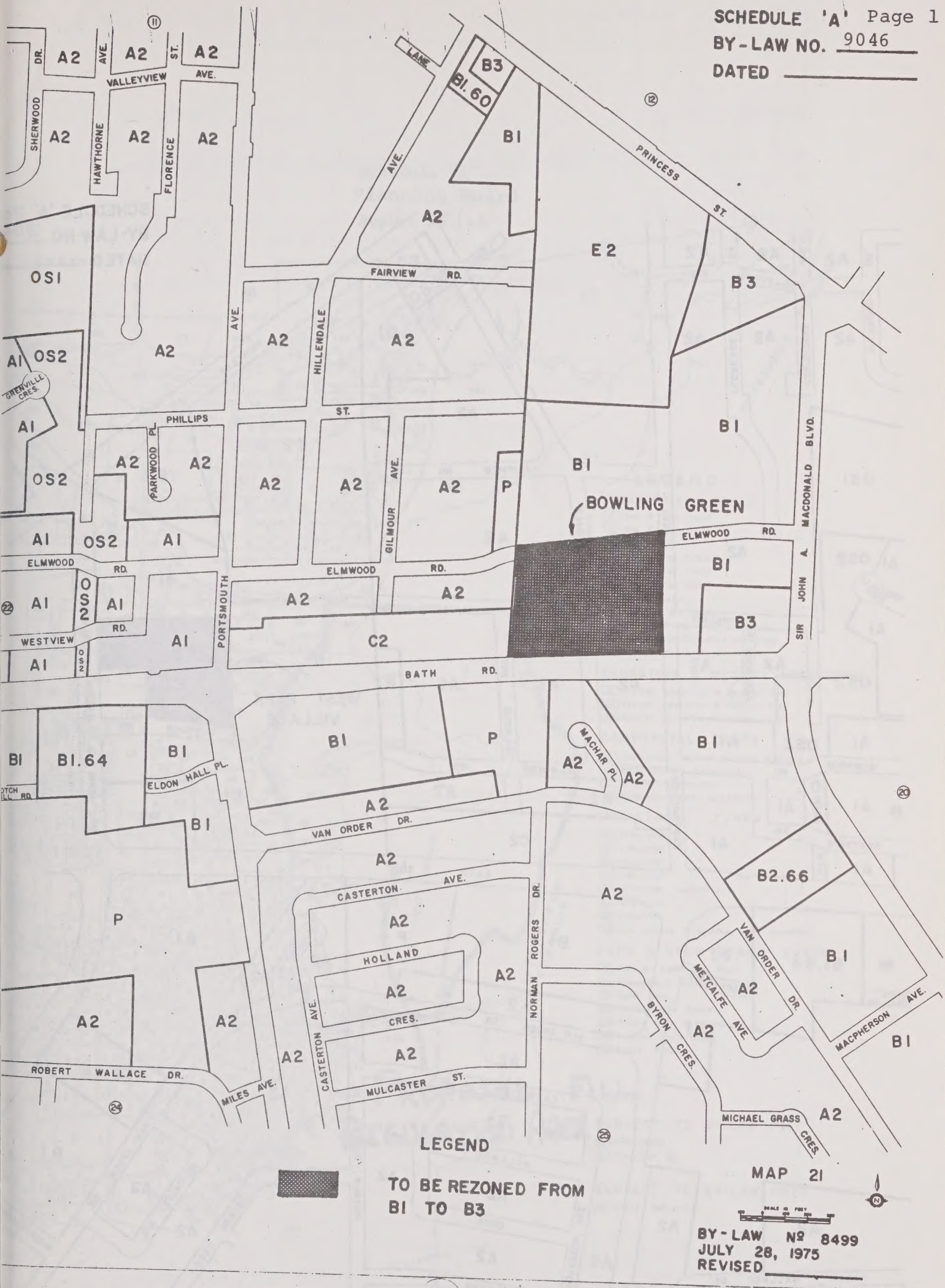
LEGEND

▨ TO BE REZONED FROM A TO C.132

MAP

BY-LAW No
JULY 28, 197
REVISED ____

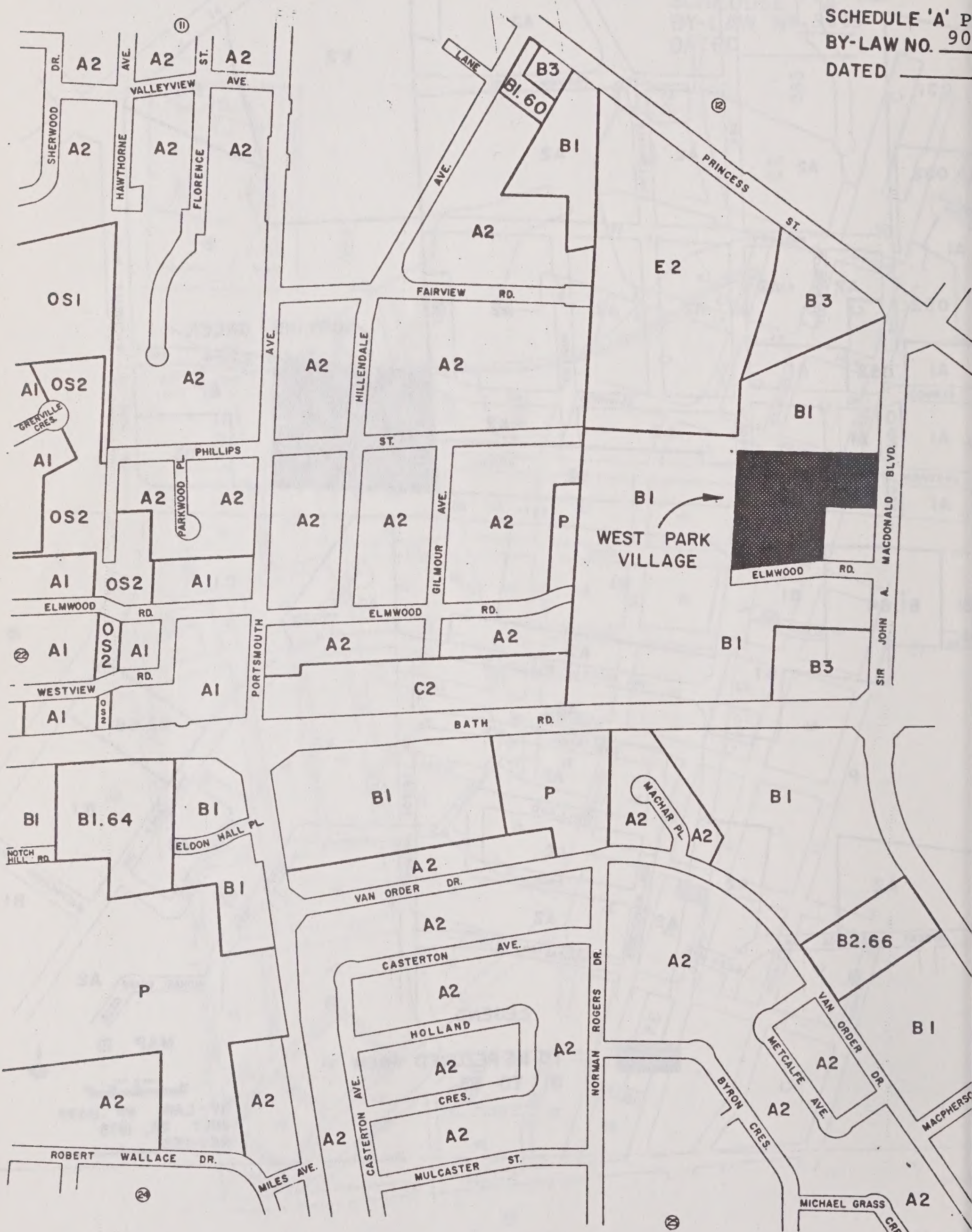
SCHEDULE 'A' Page 1
BY-LAW NO. 9046
DATED ______



LEGEND

▨ TO BE REZONED FROM B1 TO B3

SCHEDULE 'A' P
BY-LAW NO. 90
DATED



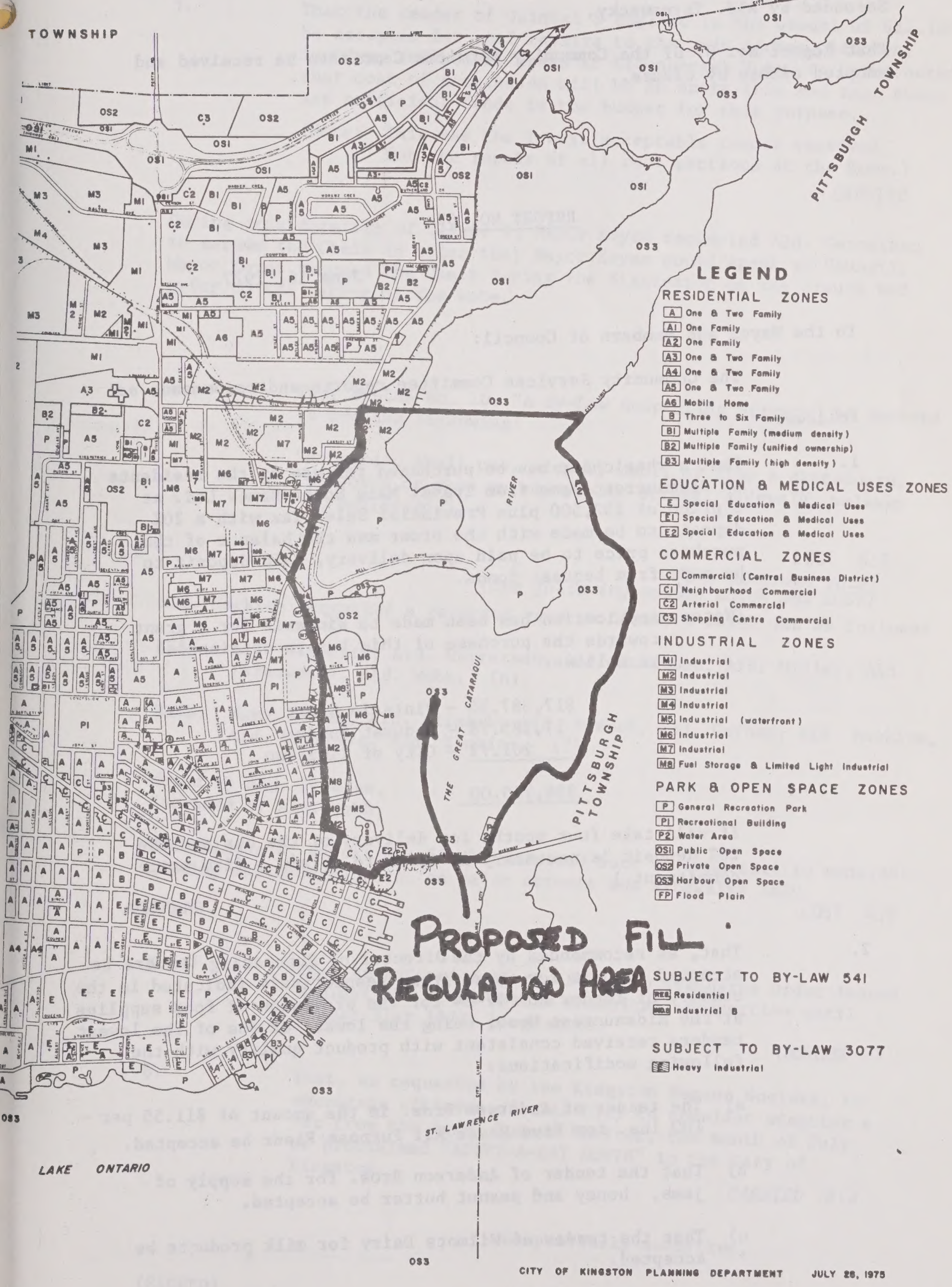
LEGEND

▨ TO BE REZONED FROM BI TO B3.133

MAP 21

BY-LAW Nº 8499
JULY 28, 1975
REVISED

Schedule "A"
Planning Board
Report No. 66



CITY OF KINGSTON PLANNING DEPARTMENT JULY 28, 1975

REPORTS (Cont'd)

Ald. Miller presented Report No. 67 of the Community Services Committee as follows:

Moved by Ald. Miller,
Seconded by Ald. Tarnowecky,

That Report No. 67 of the Community Services Committee be received and adopted clause by clause.

REPORT NO. 67

June 16, 1977.

To the Mayor and Members of Council:

The Community Services Committee reports and recommends as follows:

1. That a wheelchair bus be purchased for use by the residents at Rideaucrest Home from Travel Mate Motor Homes Ltd. at a price of $32,500 plus Provincial Sales Tax with a 20% deposit to be made with the order and the balance of the purchase price to be paid upon delivery, said deposit to be made from bequest funds.

   (Note: Application has been made to Wintario for a grant towards the purchase of this bus to be financed as follows:

   $17,387.50 - Wintario Grant
   17,185.78 - Bequest Funds
   201.72 - City of Kingston

   $34,775.00

   It will take four months for delivery of the bus and the 20% deposit is necessary in order to obtain a firm price commitment.)

   CARRIED

2. That, as recommended by the Director of Purchasing tenders be accepted in part for those items respectively indicated in the summary of tender No. 77-24 for the provision of food supplies at the Rideaucrest Home, being the lowest or one of the lowest tenders received consistent with product quality with the following modifications:

   a) The tender of Anderson Bros. in the amount of $11.55 per 100 lbs. for Five Roses All Purpose Flour be accepted.

   b) That the tender of Anderson Bros. for the supply of jams, honey and peanut butter be accepted.

   c) That the tender of Wilmots Dairy for milk products be accepted.

   and further - that as recommended by the Purchasing Agent, the ice cream and sherbets be added temporarily to the unlisted requirements intended for purchase on a weekly quotation basis through the Purchasing Department.

CARRIED 12:1
(Ald. Hawkins opposed

REPORTS (Cont'd)

Report No. 67 - Community Services Committee (Cont'd)

3. That the tender of Quintal & England in the amount of $11,400. be accepted for roof repairs to the main dining, kitchen, laundry, and boiler areas at Rideaucrest Home, it being noted that cost of insulation will be an extra item and that there are sufficient funds in the budget for this purpose.

(Note: This was the lowest acceptable tender received for the repair of all roof sections at the Home.)

CARRIED

During consideration of Clause 4, Mayor Keyes requested Ald. Gerretsen to assume the Chair in order that Mayor Keyes could speak to Council. Mayor Keyes resumed the Chair during the discussion on the clause and prior to the taking of the vote.

4. That By-Law No. 10, "A By-Law Respecting Streets" be amended to add the following:

"No person shall use, propel, haul, or draw a skateboard, skiboard or skis on any public street, sidewalk, walkway or boulevard.".

LOST 6:7

(See Recorded Vote)

(See following motion which was LOST)

Ald. Hawkins requested a recorded vote on Clause 4 which was as follows:

YEAS: Ald. Clements, Ald. Gerretsen, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Webb. (6)

NAYS: Mayor Keyes, Ald. Allmark, Ald. French, Ald. Gorham, Ald. Hawkins, Ald. Matthews, Ald. Timmins. (7)

Moved by Ald. Timmins,
Seconded by Ald. Webb,

That Clause 4, Report No. 67, be referred back to Committee to consider banning skateboards, etc. on major streets and sidewalks only.

LOST 4:9

5. That an extension of the Property Standards Order issued against the Mowat Avenue (Hospital) properties until August 31st 1977, be granted.

CARRIED

6. That, as requested by the Kingston Humane Society, to encourage citizens of this City to consider adopting a cat from the local Humane Shelter, the month of July be proclaimed "ADOPT-A-CAT MONTH" in the City of Kingston.

CARRIED 9:4

Respectfully submitted,

(SIGNED)

Lois E. Miller (Chairman)
Y. Tarnowecky
John Clements
Neil McArthur

* * *

REPORTS (Cont'd)

Ald. Gerretsen presented Report No. 68 of the Transportation Committee as follows:

Moved by Ald. Gerretsen,
Seconded by Ald. Clements,

That Report No. 68 of the Transportation Committee be received and adopted clause by clause.

REPORT NO. 68

June 21, 1977

To the Mayor and Aldermen:

The Transportation Committee reports and recommends as follows:

1. That the City make application to Transport Canada to prepare Registered Airport Zoning Regulations and an N.E.F. (noise forecast) for Kingston Airport.

   CARRIED

2. That, as requested by the Kingston District Folk Art Council, Ontario Street from Market Street to Brock Street be closed on July 1st, 1977 from 6:00 p.m. until 12:00 midnight, in order that they may hold a "Birthday Party for Canada" consisting of a few Canadian dance groups and a street dance.

   CARRIED

3. That Mr. Allen Flowers be appointed to the position of Airport Supervisor, Group No. 15-11, with a salary of $18,482. (1976).

   CARRIED

Respectfully submitted,

(SIGNED)
J.P. Gerretsen (Chairman)
John Clements
T.D. French
Y. Tarnowecky
G.L. Webb

* * *

Ald. Clements and Ald. Tarnowecky withdrew from the meeting at 9:24 P.M.

REPORTS (Cont'd)

Ald. Matthews presented Report No. 69 of the Parks & Recreation Committee as follows:

Moved by Ald. Matthews,
Seconded by Ald. Gorham,

That Report No. 69 of the Parks & Recreation Committee be received and adopted clause by clause.

REPORT NO. 69

April 16, 1977.

To the Mayor and Members of Council:

The Parks & Recreation Committee reports and recommends as follows:

1. That notwithstanding the provisions of By-Law No. 21 - A By-Law Fixing the Rental to be Charged for Memorial Hall, Committee Rooms and the Council Chamber - The United Way of Kingston and District be permitted to use the Council Chamber and John Counter Room for their Thirteenth Annual General Meeting on June 16th, 1977, from 7:30 P.M. - 10:00 P.M. at no charge.

CARRIED 11:0

2. That as recommended by the N.I.P. Committee, the pool complex located at the corner of Ordnance Street and Montreal Street be named Artillery Park and that the park area located at the corner of Carlisle Street and Chestnut Street be named Friendship Park.

CARRIED 11:0

Respectfully submitted,

(SIGNED)
K.W. Matthews (Chairman)
M.B. Gorham
G. Allmark
T.D. French
D.G. Timmins

* * *

REPORTS (Cont'd)

Ald. Hawkins presented Report No. 70 of the Public Works Committee as follows:

Moved by Ald. Hawkins,
Seconded by Ald. McArthur,

That Report No. 70 of the Public Works Committee be received and adopted clause by clause.

Ald. Tarnowecky returned to the meeting at 9:28 P.M.

Public Works Report No. 70

June 20, 1977

To the Mayor and Aldermen

The Public Works Committee recommends as follows -

1. That, since sufficiently signed petitions have been received, by-laws be passed to authorize the reconstruction of the concrete sidewalks on the following streets under the provisions of Section 7 of The Local Improvement Act -

(a) north side of Johnson St from 2 feet west of Clergy St westerly 148 feet (9 feet wide)

Total estimated cost	$4550.00
Corporation's share	2807.47
Owner's share	1742.53
Anticipated MTC subsidy	754.49
Debenture amount	3795.51

(b) north side of Johnson St from Barrie St easterly 125 feet and east side of Barrie St from Johnson St northerly 24 feet (widths vary from 4.5 feet to 9 feet)

Total estimated cost	$5500.00
Corporation's share	3805.71
Owner's share	1694.29
Anticipated MTC subsidy	871.15
Debenture amount	4628.85

provision for the above expenditures having been made in the 1977 Capital Budget.

(See By-Law 3: No. 9047)

CARRIED 12:0

2. That the Province of Ontario be requested to provide a Special Winter Maintenance Supplementary Allocation, in the amount of $4413.00, as shown on MTC Form No. OD-MB-27 and Support Form.

CARRIED 12:0

3. That, subject to the approval of the Ministry of Transportation and Communications, the tender (Contract 77/2W) of Bennett Paving and Materials Ltd, in the amount of $619,499.38, being the lowest tender received, be accepted for the following work -

REPORTS (Cont'd)

Report No. 70 - Public Works Committee (Cont'd)

3. (Cont'd)

(a) Reconstruct the pavements on the following streets -

Johnson St from Sir John A.Macdonald Blvd 800 ft westerly
Sir John A.Macdonald Blvd from Brock to Norman Rogers Drive
Regent St from Park to Princess St
Palace Rd from Brock to Carruthers Ave
Laneway between Raglan and John St
Stanley St from Alfred to Lansdowne St
Lansdowne St from Stanley to Adelaide St

Pine/York Sts from Alfred to 150 ft east of Lansdowne St
George St from King to Stuart St
Unnamed St #2 from Counter St 1400 ft southerly
Industrial Road off Lappan's Lane

(b) Construct sewers in the following streets -

storm sewer in Palace Rd from Brock to Carruthers Ave
storm and sanitary sewers in Unnamed St #2 from Counter St
sanitary sewer in Industrial Road offLappan's Lane southerly

(c) Place an asphalt overlay on the pavements on the following streets excluding parking lanes -

Sir John A.Macdonald Blvd from Bath to Norman Rogers Dr
Division St from Adelaide to Pine St
Alfred St from York to Jenkins St
Adelaide St from Division to Lansdowne St
Stanley St from Lansdowne to Division St
Lansdowne St from Pine to Stanley St
King St from MacDonald to Portsmouth Ave
Carleton St from Guy to Alfred St
Chestnut St from Cherry to Prime St
Dufferin St from Rideau to Bagot St
Napier St from Johnson to Earl St
Patrick St from Balaclava to John St
Willingdon Ave from Hill to Earl St
Ontario St from William to Johnson St
Queen St from Sydenham to Montreal St
Norman Rogers Dr from Roden to Van Order Dr
Stuart St from George to University Ave
Conacher Dr from Wilson to west leg of Morenz Cr
West St from Bagot to Sydenham St
Division St at Highway 401 underpass

CARRIED 12:0

4. That the following conclusions and recommendations made to the Township of Kingston by Gore and Storrie Ltd in their Report on Storm Drainage Guidelines dated December 4, 1975, be endorsed and that the Township be requested to inform the City well in advance of any developments that are planned to take place in the areas tributary to the Little Cataraqui Creek.

REPORTS (Cont'd)

Report No. 70 - Public Works Committee (Cont'd)

4. (Cont'd)

"In these guidelines we explain and stress the need for t implementation of a storm drainage concept for the Township. This must be worked out in close co-operation with the Region Conservat Authority and the Conservation Authority's Branch of the Ministry Natural Resources. It is also suggested to include some form of Storm Water Management Technique to prevent permanent damage to th natural sub-culture along the water courses and the shores of the Lake, to maintain their recreation value.

We recommend that because of the high costs involved for thorough study of the Township, one system be examined in detail before making the next step. It is possible that some financial assistance would be available for this work."

CARRIED 12:0

Respectfully submitted,

(SIGNED)

J. Hawkins (Chairman)
Neil McArthur
G. Allmark
M.B. Gorham

* * *

Ald. Gerretsen presented Report No. 71 of the Finance and Accounts Committee as follows:

Council consented to the amendment of Clause 15, to read:

15. That, as requested by the Kingston Silver Jubilee Committee, City Council endorses their proposal to have a marquee where beer will be served located at the foot of Clarence Street as part of the Silver Jubilee celebrations on Saturday, July 16, 1977, and the City hereby consents to the use of the said lands.

Moved by Ald. Gerretsen,
Seconded by Ald. Hawkins,

That Report No. 71 of the Finance and Accounts Committee be received and adopted clause by clause.

Ald. Clements returned at 9:28 P.M.

REPORT NO. 71

June 23, 1977

To the Mayor and Members of Council:

The Committee on Finance and Accounts reports and recommends as follows:

1. That as recommended by the Director of Purchasing, the tender of Uniroyal Centres, 780 Gardiners Road, for the supply of tires, and repair and service calls for the period July 1, 1977 to June 30, 1978, as detailed in Summary of Tender 77-21, a copy of which had been distributed to all members of Council on June 3, be accepted.

CARRIED 10:3

REPORTS (Cont'd)

Report No. 71 - Finance and Accounts Committee (Cont'd)

2. That the following budget appropriation amendment be approved in order to provide a grant of $3500 to the Senior Citizens Council of Kingston and Area for the year 1977;

EXPENDITURES	INCREASE	DECREASE
FINANCE		
Grant - Senior Citizens Council	$3500	-
Contingencies -	-	$3500

CARRIED

3. That Ms. Nina R. Mohan be appointed a member of the Kingston and Area Planning Board for a term ending January 1, 1979.

CARRIED

4. That the following budget appropriation amendment be approved in order to provide funds to the Kingston Block Parent Association in the amount of $1000 to assist in the implementation of a pilot project in the City of Kingston.

EXPENDITURES	INCREASE	DECREASE
FINANCE		
Grant - Block Parent Committee	$1000	-
Contingencies -	-	$1000

CARRIED

5. That the resignation of Dr. Lorne E. Carpenter as a member of the Housing Subcommittee be accepted with regret and that the appreciation of Council for his community service be expressed to Dr. Carpenter.

CARRIED

6. That Mr. Lloyd Edwards be appointed a member of the Housing Subcommittee for a term ending December 31, 1978.

CARRIED

7. That an agreement be entered into with Lamb Real Estate and Insurance Limited to manage the following residential housing units owned by the City of Kingston and any future residential housing units that are acquired by the City for a management fee of 4% of the rental charge:

61 Yonge Street
97 Yonge Street
99 Yonge Street
101 Yonge Street
Calvin Park House
30 Rideau Street
40 Rideau Street

CARRIED

REPORTS (Cont'd)

Report No. 71 - Finance and Accounts Committee (Cont'd)

8. That the following budget appropriation amendment by approved in order to provide funds for the payment of a grant to the town of Cobalt's Disaster Fund:

EXPENDITURES	INCREASE	DECREASE
FINANCE		
Grant - Town of Cobalt	$1000	-
Contingencies -	-	$1000

CARRIED

9. That a By-Law be presented to Council to authorize the execution of an agreement with Ontario Hydro granting permission in perpetuity the right to install and maintain two anchors, with wires attached thereto, on the City property on the North side of Counter Street directly opposite the Frontenac Transformer Station for the sum of $70.00.
(See By-Law 6: No. 9050)

CARRIED

10. Whereas the architects have been unable to schedule tenders for shelving to be ready for Council meeting on July 11, 1977:

That as recommended by the Clerk-Comptroller, authority is hereby delegated to the Finance and Accounts Committee to approve the award for a tender for library shelving as recommended by the Public Library Board, on the understanding that the action of the Finance and Accounts Committee will be reported to Council at its next meeting.

CARRIED

11. That, as recommended by the Kingston Public Library Board, the following Change Order be approved, to be charged to the Contingency Fund in the contract:
CHANGE ORDER NO. 19:

		ADD	DEDUCT
(1)	BALUSTRADE TO STAIR #4 Add reinforcing to stair 4 railing	244.00	
(2)	SANDBLASTING 36 COLUMNS on 1st & 2nd FLOORS	2184.00	
	less saving for painting		520.00
(3)	METAL PIPE ENCLOSURE WITH SLOPING FRONT	556.56	
	less credit		92.80
(4)	STONE STEPS over heating cable instead of concrete	1250.00	
(5)	CONCRETE UNDER RAMP LEADING TO COVERED PARKING AREA instead of 2" asphalt	1427.60	
(6)	REVISED TWO WINDOWS TO BISHOP'S HOUSE plus screens,	270.00	
	less credit for fixed glazing		116.00
(7)	ACCESS WAY IN CEILING TO 3RD FLOOR	200.55	
		6142.71	728.80
	NET TOTAL COST	$5,413.91	

CARRIED 12:1
(Ald. McArthur opposed)

REPORTS (Cont'd)

Report No. 71 - Finance and Accounts Committee (Cont'd)

12. That, as recommended by Parks and Recreation Committee, an agreement be entered into with Domino Theatre to rent 600 square feet of space in the adjoining building at 370 King Street West for storage purposes at the rate of $25.00 per month for the remainder of 1977, subject to review in January 1978.

CARRIED 12:1
(Ald. Webb opposed)

13. That, as recommended by the Parks and Recreation Committee, the City of Kingston make application to Wintario for $15,000.00 for the Waterfront Development Project on the understanding that the City of Kingston will advance funds for the Waterfront Development Project against the Wintario grant of $15,000.00 for material, supplies, as follows:

    (1.) After conditional approval of Wintario Grant;

    (2.) Not exceeding twice the value of donations received in a form acceptable for Wintario accounting; and

    (3.) That the City accept the public and corporate donations in the form of cash, labour donations, material donations, discounts, etc., as accepted by Wintario.

CARRIED

14. That the account of Weir & Foulds, Barristers and Solicitors, for legal services in connection with the preparation of and Ontario Municipal Board hearings on Zoning By-Law No. 8950 (Senior Citizens - Bagot Street) in the amount of $964.34 be authorized for payment, to be charged to the appropriation "Planning - Zoning By-Law Amendments".

CARRIED

15. That, as requested by the Kingston Silver Jubilee Committee, City Council endorses their proposal to have a marquee where beer will be served located at the foot of Clarence Street as part of the Silver Jubilee celebrations on Saturday, July 16, 1977, and the City hereby consents to the use of the said lands.

CARRIED AS AMENDED

Respectfully submitted,

(SIGNED)

Ken Keyes (Chairman)
J.P. Gerretsen
J. Hawkins
K.W. Matthews
Lois E. Miller

* * *

UNFINISHED BUSINESS

Mayor Keyes said that the City of Kingston had not planned any celebrations for the July 1st weekend instead, there would be a street dance sponsored by the Folk Art Council in front of City Hall.

Mayor Keyes said that the City would be concentrating it's celebrations on the Silver Jubilee of Queen Elizabeth II on July 16 and 17.

Mayor Keyes read a copy of the Governor-General's proclamation of Canada Week, June 25 to July 1.

Mayor Keyes read a letter from Mr. Jacques Bousquet requesting that the citizens of Kingston be urged to fly the Canadian flag during Canada Week.

Mayor Keyes reported that a number of applications for the position of City Solicitor had been received and he requested that the members of the Finance Committee meet, following the Council meeting, to receive copies of the applications and to make arrangements for interviews.

Alderman Matthews said that he was concerned about the lack of coverage given by the *Whig-Standard* to the Opening Ceremonies for the Artillery Park Pool. He also said that more coverage should have been given to the NIP Area Committee for their part in recommending the various improvements to the area.

Alderman Matthews said that the Kingston Neighbourhood Improvement Programme Committee are rated by the government as Number 1 in Ontario and tied for top place in Canada with Charlottetown and Calgary. He said that without the proposal of the NIP Area Committee the programme could not have been successful.

Alderman Hawkins expressed concern that buses are not included in the definition of "heavy trucks" which are prohibited from parking overnight on the City's streets.

Alderman Hawkins suggested that consideration should be given to establishing a fee to be paid by applicants for zoning and official plan changes.

Alderman Gerretsen said that the advertisement for the position of City Solicitor appeared in a later edition of the *"Ontario Law Reports"* than had been expected and that now applications are being received.

In answer to a question from Alderman Gerretsen as to whether or not the concrete sidewalks to be constructed this year would have depressed entrances, Alderman Hawkins said that the concrete sidewalks would have straight edges without dips in them at the entrance-ways.

Alderman Gerretsen said that he wished to comment on the remarks of Reeve Beeman at the recent Transportation Committee meeting concerning the proposed north/south arterial road. He said that the City had applied to Transport Canada to have the roadway with a good location for the intersection and that the Township of Kingston had charged the City of Kingston high water rates at the airport and had requested a change of location of the proposed intersection by 150 feet. He said that he believed that the Township of Kingston should also compromise somewhat in their request.

Alderman Gerretsen said that the Transport Canada Report states that "the road is not needed for airport purposes". He also said that the City has to have Treasury Board approval for the City to give up the road allowance across the airport, which is not justifiable for airport purposes. He said that the City has done all it could and that perhaps a limited subdivision plan or no subdivision plan is needed to the north of the airport. He said that the north/south arterial road to be located as far to the west as possible would make the airport less economically feasible. He said that it was now time for the Township to take some action to assist in the problem.

UNFINISHED BUSINESS (Cont'd)

Mayor Keyes said that Reeve Beeman had commented to him that the press report on the Transportation Committee meeting had not been to his liking.

Alderman Timmins commended Alderman Gerretsen for the businesslike manner of his presentation.

Alderman McArthur said that the plans for an addition to the Bell Canada building on Garrett Street had been approved by Council at the last meeting of Council and the next day he had driven along Garrett Street and had found that the columns of the building were already constructed.

Alderman McArthur said that consideration should be given by the City to providing only snow tires to a majority of the City's vehicles rather than having two sets of tires for each vehicle due to their low annual mileage.

Alderman Webb said that he wished to commend the writer of the Canada Day Proclamation since July 1 is "Dominion Day" by statute and has not been changed to "Canada Day".

Alderman Webb noted that,in addition to the NIP Area Committee's recommendations for Artillery Park, Alderman Timmins and himself had waged a fight over the years to prevent Artillery Park area from becoming either a car lot or a two storey parking garage or a senior citizens' housing project.

Alderman Webb inquired if there was one law for the rich and another for the poor. He said that there is one individual who continually parks his vehicle on a boulevard without being ticketed or fined, whereas everyone else who does this is apprehended. He said that he intended to request that everyone who has paid a fine of parking on a boulevard have their fine money refunded to them.

Mayor Keyes said that this meeting of Council was the end of the trial period for Kingston Cable T.V. to provide coverage. He said that he believed that there were a growing number of people watching the T.V. presentation of the Council meeting. He also noted that additional cameras and an added microphone system were making this evening's coverage by Kingston Cable T.V. a better programme. He suggested that Cable T.V. submit a proposal to continue their television coverage of Council Meetings.

Alderman Webb said that he had received a number of favourable comments concerning the television coverage of Council meetings.

BY-LAWS

(A) Moved by Ald. Hawkins,
Seconded by Ald. Clements,

That By-Laws 1 to 7 be given their first and second readings.

CARRIED

(B) Moved by Ald. Gerretsen,
Seconded by Ald. Matthews,

That Rule 35 of By-Law No. 1 be suspended for the purpose of giving By-Laws 4 to 7 their third reading.

CARRIED

(C) Moved by Ald. Gerretsen,
Seconded by Ald. Miller,

That By-Laws 4 to 12 be given their third reading.

CARRIED

(1) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Rezone 0.2 Acre Parcel of Land Located at the Northwest Corner of Clergy and Queen Streets from A (One and Two-Family) Residential to A.132 (One and Two-Family Residential)

(FIRST AND SECOND READING) (PROPOSED NO. 9045)
Clause 1(B), Report No. 66, 1977

CARRIED

(2) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Rezone 4.9 Acre Parcel of Land Located North of Elmwood Street and West of Sir John A. Macdonald Boulevard From B1 (Multiple Family) Residential to B3 (Multiple Family)Residential)

(FIRST AND SECOND READING) (PROPOSED NO. 9046)
Clause 4, Report No. 66, 1977

CARRIED 10:3

(Ald. Allmark, Ald. Matthews, Ald. Timmins opposed)

(3) A By-Law to Authorize the Reconstruction of Certain Concrete Sidewalks Under the Provisions of Section 7 of The Local Improvement Act (Petition)

(FIRST AND SECOND READING) (PROPOSED NO. 9047)
Clause 1, Report No. 70, 1977

CARRIED

(4) A By-Law to Authorize the Construction, in the Industrial Park, of Roadways, Curbs and Entrances, Sanitary Sewers, Watermains and Street Lighting (General Rate)

(THREE READINGS) (PROPOSED NO. 9048)
Clause 12, Report No. 126, 1976
and
Clause 6, Report No. 2, 1977

CARRIED

(Note: Total amount of the Construction Work is $175,000.)

(5) A By-Law to Amend the Official Plan of the City of Kingston Planning Area (Amendment No. 90: Northwest Corner Clergy at Queen Street - Law Office)

(THREE READINGS) (PROPOSED NO. 9049)
Clause 1(A), Report No. 66, 1977

CARRIED

BY-LAWS (Cont'd)

(6) A By-Law to Authorize the Execution of an Agreement with Ontario Hydro (Easement for Anchors on North Side of Counter Street Opposite the Frontenac Transformer Station)

(THREE READINGS) (PROPOSED NO. 9050)
Clause 9, Report No. 71, 1977

CARRIED

(7) A By-Law to Confirm the Proceedings of Council at Its Meeting Held on June 27, 1977.

(THREE READINGS) (PROPOSED NO. 9051)

CARRIED

(8) A By-Law to Authorize the Reconstruction of the King Street Pavement Between Queen Street and Princess Street, Under the Provisions of Section 7 of the Local Improvement Act (Petition)

(THIRD READING) (PROPOSED NO. 8945)
Clause 4, Report No. 111, 1976

CARRIED

(9) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of The City of Kingston, Subject to the Provisions of The Highway Traffic Act" (Clauses 1 and 2, Report No. 61)

(THIRD READING) (PROPOSED NO. 9033)
Clauses 1 and 2, Report No. 61, 1977

CARRIED

(10) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of The City of Kingston" (Rezone 10 Acres East of Yonge Street and South of King Street, From P Parks, Open Space and Flood Plain (General Recreation Park), to P.131 Parks, Open Space and Flood Plain (General Recreation Park) and to Expand Uses)

(THIRD READING) (PROPOSED NO. 9035)
Clause 1, Report No. 63, 1977

CARRIED

(11) A By-Law to Amend the Official Plan of The City of Kingston Planning Area (Amendment No. 81: Establishment of Heritage Conservation Districts)

(THIRD READING) (PROPOSED NO. 9036)
Clause 7(1), Report No. 63, 1977

CARRIED 12:1
(Ald. Timmins opposed)

(12) A By-Law to Define the Market Square Area as an Area to be Studied For Possible Future Designation as a Heritage Conservation District Under Section 40(1) of The Ontario Heritage Act, 1974

(THIRD READING) (PROPOSED NO. 9037)
Clause 7(2), Report No. 63, 1977

CARRIED

MOTIONS

(1) Moved by Ald. Clements,
Seconded by Ald. French,

That Council do now adjourn.

CARRIED

Council adjourned at 10:15 P.M.

(L.S.)

(Signed) T.J. McKibbin,
Clerk-Comptroller

(Signed) Ken Keyes
Mayor

CITY COUNCIL MEETING NO. 19

Local Govt

The Regular Meeting of City Council will be held in the Council Chamber at City Hall on Monday, July 11, 1977 at 8:00 P.M.

ROLL CALL

TABLING OF DOCUMENTS

MINUTES

That the Minutes of City Council Meeting No. 18, held on June 27, 1977, be adopted as printed.

COMMUNICATIONS

To Be Filed

(399) A letter of appreciation from the wives who attended the Chief Executives' Conference for the warm welcome the Mayor gave them and the tour through City Hall, and thanking Council for the ride on the Confederation Train.

(400) Copy of *"AMO - legislative bulletin", Volume VII, Issue 2,* dated June, 1977.

(Note: Copies have been distributed to all members of Council.)

(401) Copy of *"Current Topics"*, Volume 3, Number 1, dated May, 1977, from the Association of Major Power Consumers in Ontario.

(402) From the Hon. Keith Norton, Minister of Community and Social Services, acknowledging receipt of copies of the City's Resolutions regarding Dog Control and Car Washes.

To Be Referred to Community Services Committee

(403) From the City of St. Catharines commenting on the City of Kingston's resolution re: definition of "control" in the Dog Licencing and Livestock and Poultry Protection Act and notifying of their definition of "control" as follows in their Dog Control By-Law:

> *"A dog shall be deemed to be not under the control of any person when the dog is not on a lead held by a person or is not otherwise physically restrained."*

COMMUNICATIONS (Cont'd)

To Be Referred to the Finance and Accounts Committee

(404) Copy of a resolution passed by the Council of the City of St. Thomas concerning the Auto Pact and requesting that the City of Kingston write the local M.P. and Members of the Federal Cabinet with a resolution of Council expressing concern and interests about the problem of auto parts and the imbalance in trade.

To Be Referred to the Housing Subcommittee

(405) Copy of *"Awards 1977"* from the Canadian Housing Design Council.

(406) Copy of *"Mainstream"*, Volume 1, Number 2, June 1977.

(407) Copy of a statement by The Honourable Andre´Ouellet, Minister of State for Urban Affairs on Canadian Home Insulation Program.

(408) From the Ministry of Housing, acknowledging receipt of the Kingston Municipal Housing Statement; submitting copies of outline sheets containing details of the Ministry of Housing programs available to all municipalities; and notifying that the Ministry are unable to act on the City's statement until it is approved by Council and resubmitted to the Ministry.

Which Has Been Referred to the City of Kingston Planning Board

(409) From the Ministry of Housing, Plans Administration Division, the proposed Amendment No. 9 to the Official Plan for the Pittsburgh Planning Area for Council's examination and comments to be sent to them within 60 days from the date of their letter (June 30, 1977).

To Be Referred to Community Services Committee

(410) Copy of *"Children's Services"* from the Ministry of Community and Social Services, dated June 10, 1977.

(411) Copy of *"Kingston Fire Department Annual Report 1976"*.

(Note: Copies have been distributed to all members of Council.)

To Be Filed

(412) Copy of *"Civic Affairs"*, dated June 1977 from the Bureau of Municipal Research.

(Note: Copies have been distributed to all members of Council.)

(413) From the United Way of Kingston and District, a letter of thanks to City Council for usage of City's meeting rooms for their Annual General Meeting and a Board of Directors Meeting on June 16, 1977 without charge and noting "Your meeting rooms are excellent.".

COMMUNICATIONS (Cont'd)

To Be Referred to the Finance and Accounts Committee

(414) From Ontario Municipal Personnel Association, a copy of the Brief setting out the Association's views to the Honourable Justice Kelly, in connection with his study of the present Grievance Arbitration System in Ontario for City Council's consideration and endorsation.

To Be Filed

(415) From the Ministry of Transportation and Communications, authorizing a subsidy allocation for the City of Kingston for 1977 traffic signal installation, in the amount of $15,000.

Which Has Been Referred to the City of Kingston Planning Board

(416) From Ernest Valorie Swain, Q.C., advising that he is acting on behalf of Churchill News Limited who has agreed to purchase 417 Bagot Street conditional upon a zoning change that will allow Churchill News Limited to carry on its business of wholesale and retail newspaper and magazine distribution from this location and informing that his client has until August 31st to satisfy the zoning change requested and requesting a zone change for 417 Bagot Street from A, Commercial, to Revised Commercial.

To Be Filed

(417) From the Ministry of Transportation and Communications, advising Council of their approval of a second advance payment of subsidy in the amount of $340,800. to be made to the City of Kingston.

(418) Copy of *"AMO NEWS"*, dated June 1977 from the Association of Municipalities of Ontario.

(419) Copy of *"Background"*, dated June 17, 1977 from the Honourable Darcy McKeough, Treasurer of Ontario.

(Note: Copies have been distributed to all members of Council.)

To Be Referred to Housing Subcommittee

(420) From the Central Mortgage and Housing Corporation results of the semi-annual apartment vacancy survey and asking rentals for the vacant units conducted in the Kingston Census Agglomeration.

City of Kingston Vacancy Rate in Private Apartment Structures of 6 units and over as of April 1977 = 1.4%

COMMUNICATIONS (Cont'd)

To Be Filed

(421) From the City of Niagara Falls, notifying of their endorsement of Council's Resolution requesting the Provincial Government to amend the Dog Licencing and Poultry Protection Act.

(422) From Lily Inglis and Wilfred Sorensen, setting for scheduling for certain tenders for the new Public Library:

	Tenders Due	Installed by
Carpet	July 20	December 13
Book Shelving	July 20	December 20
New Furniture	July 20	December 23

To Be Referred to the Community Services Committee

(423) From the Fire Service Advisor, Ontario Fire Marshal's Office, Belleville, notifying that the Office of the Fire Marshal has been requested to conduct a Regional Fire Prevention School in the Kingston area; that application forms have been forwarded to the Fire Chief; that students will be expected to attend all classes to receive a certificate issued by the Ontario Fire College; and that the school, which will consist of 40 hours of instruction, has no registration fee or school costs, but each Municipality will be responsible for any cost incurred by their personnel such as loss of wages, etc.

PETITIONS

(1) From the Kingston Downtown Business Assocation, having 142 signatures, and stating:

"*Revitalization of the Downtown Core has become a growing concern of most cities in North America.*

The Kingston Downtown Business Association in conjunction with many leaders of the Kingston community consider this to be a problem requiring immediate attention in our city. It is our belief that the strength of Downtown Kingston is dependent upon opportunities being created for people to live and work in the downtown area. In the past, such opportunities have presented themselves, but regrettably have not been realized. Now, once again, Kingston is being given the chance to take advantage of yet another opportunity.

The proposed OHIP facility must be seen as being of primary importance to downtown Kingston. Its presence would not only increase retail spending, but would also influence property values, and the quality of establishments in the area and add to the general pride of being situated downtown. Moreover the influx of a new working force would benefit the surrounding residential area in encouraging nearby housing and thereby reducing energy costs. Last but not least, this proposal would reinforce the government's general policy of revitalizing the downtown.

PETITIONS (Cont'd)

(1) (Cont'd)

> *We the undersigned therefore recommend that the OHIP building be situated on Princess Street between Ontario Street and Division Street. We strongly appeal to the Planning Board, City Council, and all other parties concerned, to make every endeavour to achieve this goal."*

(Note: See Clause 13, Finance Report No. 77)

REPORTS

REPORT NO. 72

June 30, 1977.

To the Mayor and Members of Council

The Community Services Committee reports and recommends as follows:

1. That NO ACTION be taken on the following resolution of the City of Cambridge:

"THAT WHEREAS the present date of biennial municipal elections in Ontario, the first Monday in December, often features inclement weather which greatly inconveniences and prevents voters, particularly elderly ones and cottage owners, from exercising their franchises;

AND WHEREAS many of these difficulties could be overcome by changing the date of voting to the month of October when many more citizens would not only take advantage of the warmer weather to cast ballots, but become more interested in the democratic process;

AND WHEREAS a Fall Election date with candidate inauguration within fifteen days thereafter would permit new Councillors to assume responsibilities, about November 1st, thereby enabling them to become familiar with Council Staff routine, legal position and implementation of budgets authorized by the previous experienced Council;

AND WHEREAS during the interim between November and January of the next year, Councillors would be able to give careful study without the pressure of deadlines, to operating procedures and proposals for future capital expenditures thereby becoming more knowledgeable in determining policy, appointments to local Board and Citizens' Committees as well as budgeting preparation;

THEREFORE BE IT RESOLVED that the Council of the City of Cambridge petition the Government of the Province of Ontario to change the date of the municipal biennial election to the third Monday in October, which would be of great benefit to all citizens of Ontario by permitting them to fully participate in the local election process and regain the initiative in governing the municipalities which has been greatly eroded by financial policies' considerations within the time limitations and pressures imposed by the December date.".

(Note: The Provincial Government has decided to change the date to the 3rd Monday in November.)

2. That the following resolution of the Regional Municipality of Waterloo BE ENDORSED:

"THAT the Regional Municipality of Waterloo indicate its grave concern regarding 'Psi Mind Development' Organization activities to the Premier of Ontario, the Ministry of Consumer and Commercial Affairs and the Attorney General and that the Ministry of Health be urged to thoroughly investigate said 'psi' activities.".

3. That the following resolution of the City of Owen Sound BE ENDORSED:

"WHEREAS by virtue of Section 466(2) of The Municipal Act, municipalities were granted a one year period within which to commence proceedings to enforce contraventions of Building By-Laws passed under Section 38 of the Planning Act; and

WHEREAS by virtue of Section 23(1) of The Ontario Building Code Act, 1974, it is provided that everyone who contravenes any provision of the Act is guilty of an offence and on summary conviction is liable to a fine; and

3. (cont'd.)

WHEREAS the Summary Convictions Act provides that no proceedings shall be instituted more than six months after the time when the subject matter of the proceedings arose; and

WHEREAS it is deemed expedient, desirable and necessary to provide a one year period within which to commence proceedings to enforce a contravention of The Building Code Act and Regulations.

NOW THEREFORE BE IT RESOLVED that the Province of Ontario be requested to amend The Building Code Act, 1974 to provide that proceedings to enforce a contravention of the Code may be initiated within one year after the time of the contravention and that imprisonment may be for a term of not more than six months.".

4. That, as requested by the Kingston and District Labour Council, City Council endorses their proposal to have a marquee where beer will be served located at Lake Ontario Park as part of the Annual Labour Day Fest.

(Note: This approval is necessary in order for the Kingston and District Labour Council to obtain a liquor licence. Approval of the Department of Parks and Recreation to hold the Fest at Lake Ontario Park has already been received.)

5. That By-Law No. 1, "A By-Law to Regulate Council Procedures" be amended to add the following to Section 71 (a) (3):

"that the Assistant to the Administrator of the Social Services Department shall have authority to certify vouchers in the absence of the Administrator.".

Respectfully submitted,

CHAIRMAN.

REPORT NO. 73

JUNE 29, 1977.

To the Mayor and Members of Council:

The Parks & Recreation Committee reports and recommends as follows:

1. That By-Law #19 - A By-Law to Provide for the Regulation Use of Parks and Recreational Facilities of the Corporation - be amended to include the following rates for Senior Citizens' recreational swims and hourly rental charge for off-hours at the Artillery Park Pool:

a) Senior Citizens' Recreational Swim - Rate: 50¢

b) Hourly Rental Rate during off-hours - Rate: $18.00

Respectfully submitted,

CHAIRMAN

REPORT NO. 74

June 29, 1977

To the Mayor and Aldermen:

The Transportation Committee reports and recommends as follows:

1. That the eight parking meters on the south side of Princess Street east of Regent Street be removed and 'left turn only' lanes be installed on Princess Street at Tower Street for the Tower Street Parking Lot and also at Drayton Avenue.

2. That Queen's University be permitted to hold their Annual Homecoming Parade on October 15, 1977 at 11:00 a.m.

   Note: The proposed route is to commence behind Victoria Hall, proceed to Queen's Crescent, north on University Avenue, east on Union Street, north on Division Street, west on William Street, south on University Avenue, then west on Union Street and from there proceed to Richardson Stadium for the Homecoming Football Game.

3. That, notwithstanding By-Law No. 10, Mr. Jozsef Szabo be permitted to retain a paved portion of City boulevard measuring 8 ft. by 43 ft. in front of 50 Baiden Street.

4. That By-Law No. 24 (Traffic By-Law) Section 10B be amended to include the proposed bus stops (as attached to the Transportation Agenda) in the Crestview Subdivision and also north of Weller Avenue.

5. That, as requested by the Public Utilities Commission, permission be given for them to erect a bus shelter on City property in front of the Angada Wing subject to utility approval.

6. That Public Utilities Commission be permitted to locate a bus stop on the south side of Stuart Street from George Street 80 feet westerly.

7. That, as recommended by the Director of Purchasing, the tender be awarded, in part, as follows, these being the lowest tenders received:

Solid State, Digital Controller Two Phase	C.G.E.	$6,038.00	
Signal Heads, 12" Red C/W Backboard	C.G.E.	900.00	
Signal Heads, 8" Red Without Backboard	C.G.E.	588.00	
Aluminum Signal Hangers	C.G.E.	475.20	
Mast Arms, 16'	C.G.E.	630.00	
Mast Arms, 14'	C.G.E.	576.00	
Mast Arms, 2'	C.G.E.	210.00	
Mast Arms, 4'	C.G.E.	228.00	
*Net price including 5% discount		$9,162.94*	
7 Conductor, #14 P.V.C.	Zenith Electric	307.00	
** FEDERAL SALES TAX INCLUDED			$9,469.94**

8. That the right hand turning lane at the south west corner be now included in the intersection improvement at Sir John A. MacDonald Blvd. & Johnson Street at an approximate cost of $11,000 and that the contract be amended to include this work at tendered unit prices.

   Note: This proposed right turn lane had been deleted previously due to lack of funds. Due to favourable tender prices, a surplus of approximately $11,000 was remaining on this project.

9. That the Ability Centre - Kingston be permitted to hold a "Sidewalk Sale" at their two outlets, 664 Princess Street and 428A Barrie Street, on July 28th and 29th, 1977 inclusive between the hours of 9:00 a.m. and 5:30 p.m.

10. That the Kingston Grenadier Drum Corps be permitted to hang a banner across Princess Street at Bagot Street from July 4th to July 24th, 1977 to advertise the Parade of Drums.

The Transportation Committee may present the following clauses:

11. That, as requested by the Kingston District Chamber of Commerce, Ontario Street be closed from 10:00 a.m. to 10:00 p.m. on July 16th, 1977 from Brock Street to Clarence Street in order that they may hold a parade and various festivities celebrating the Queen's Jubilee.

Note: The proposed route for the parade is from Victoria Park along Frontenac Street to Princess Street, down Princess Street to Ontario Street, and along to and in front of City Hall disbursing on Market Street. Entertainment is also planned for the entire day in front of City Hall.

12. That the parking meters on the west side of Barrie Street between King and Stuart Streets be increased to 20¢ per hour as Kingston General Hospital employees are occupying these meters all day at 10¢ per hour.

Respectfully submitted,

CHAIRMAN

REPORT NO. 75

July 5, 1977.

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. WHEREAS application has been filed to amend the Official Plan and Zoning By-Law for an approximately 2.5 acre parcel of land located at the northwest corner of Montreal and Briceland Streets in order to permit multiple family residential development at medium density; and

   WHEREAS this change will encourage the redevelopment of a site, within a residential area, that is presently occupied by an undesirable non-conforming use; and

   WHEREAS the site is considered to be an appropriate location for medium density residential development;

   THEREFORE BE IT RESOLVED that

   (A) The Official Plan be amended so as to redesignate the 2.5 acre parcel of land located at the northwest corner of Montreal and Briceland Streets from Residential, Low Density to Residential, Medium Density.

   (B) Zoning By-Law No. 8499 be amended:

   (a) by amending Zoning Map No. 7 so as to rezone the approximately 2.5 acre parcel of land located at the northwest corner of Montreal Street and Briceland Street, as shown on a copy of Zoning Map No. 7 which is attached hereto as Schedule "A", from A5 (one and two-family) Residential to B1.134 (multiple family Residential.

   (b) By adding as Section 134 the following:

   "134. On the approximately 2.5 acre parcel of land located at the northwest corner of Montreal and Briceland Streets and designated B1.134 on a copy of Zoning Map No. 7 attached to and forming part of By-Law No. 9052, as Schedule 'A', the maximum permitted height shall be 35 feet."

2. That Council does hereby certify that By-Law No.9052, "A By-Law to Amend By-Law No. 8499, 'Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston (Rezone 2.5 acre Parcel of Land Located at the Northwest Corner of Montreal and Briceland Streets from A5 (one and two-family) Residential to B1.134 (multiple family) Residential", is in conformity with the Official Plan of the Corporation of the City of Kingston when the foregoing current amendment proposed in Clause 1(A) has been approved.

3. WHEREAS the Ministry of Housing has suggested that the City consider adopting a technical amendment to the Official Plan with respect to the designation of densities in Areas of Potential Population Increase in order to expedite the approval process of future amendments; and

   WHEREAS such an Amendment would also serve to make the Official Plan policies with respect to residential densities, easier to interpret;

THEREFORE BE IT RESOLVED that Council adopt the following amendments to the Official Plan:

a) Section 4(13) shall be amended by deleting the reference to Schedule D so that it shall read in full as follows:

"Residential areas will be designated for low, medium and high density as shown on the General City Plan (Schedules A-3 and 'D'). These are broad categories and indicate the maximum permitted density in projects or parts of the areas designated. Where a single residential project involves several buildings or a variety of housing types the maximum permissible density may be calculated comprehensively for the project as a whole, exclusive of lands required for streets, parks or other public purposes. In this manner a wider range of densities may be provided for in the zoning by-law implementing this plan, and through development control."

b) Section 5(84A) shall be deleted in its entirety and a new Section 5 (84A) shall be added, which reads in full as follows:

"Notwithstanding any policy to the contrary, on the approximately 0.55 acre parcel of land located on the east side of Montreal Street opposite and just north of the intersection with Hickson Avenue, and designated medium density on Schedule A-3, a 12-unit apartment building shall be permitted."

c) Section 5 (90) shall be deleted in its entirety and a new Section 5 (90) shall be added, which reads in full as follows:

"Areas of Population Increase

Schedule A-3 indicates those areas in the City where residential use is permitted (excluding Areas of Stability and Industrial Areas) and where population may increase because of residential use changing to a higher density or because of new residential development. The densities permitted in these areas may be identified by referring to the legend on Schedule A-3."

d) Schedule A-2, Areas of Specific Treatment, shall be deleted and replaced with Schedule A-2 attached to this amendment.

e) Schedule A-3, Areas of Potential Population Increase, shall be deleted and replaced with Schedule A-3 attached to this amendment.

f) Schedule D, Designation of Densities in Areas of Potential Population Increase, shall be deleted in its entirety.

4. That Council reaffirm its decision to approve the zone change application submitted by Jacob, MacPherson, Stewart & Hogan, in respect to 235-237 Queen Street (A Residential to A.132 (one and two-family) Residential - see Clauses 1 and 2, Report No. 66), notwithstanding the letter of objection received from Mr. C. Clement, and noting that questions raised by Mr. Clement were fully discussed at the Public Meeting held with regard to this application.

5. That the following plans, submitted by Gerald Splinter Ltd., for 18 two-storey attached dwelling units on the south side of Newcourt Place:

   Drawing A-1 Site Plan - dated March 14, 1977

   Drawing A-2 Floor Plan & Elevations - dated March 14, 1977

   Drawing A-3 Basement Plan & Elevations - dated March 21, 1977

   Drawing A-660-R - Grading Plan - dated October 30, 1976

   be approved, subject to the applicant entering into a development control agreement which shall include the following conditions:

   a) *the development shall be in accordance with the above listed plans;*

   b) *plans showing details of construction and materials of the proposed 'low garden wall' as shown on drawing A-1 shall be submitted for City approval (noting the wall should be built in accordance with By-Law 10);*

   c) *a landscaping plan, including a hedge along the easterly and southerly edges of the property shall be submitted for City approval and implemented within one year of the date of issuance of the building permit.*

6. WHEREAS the Neighbourhood Improvement Programme Redevelopment Plan provides for the acquisition of the former Downtown Motors site of approximately 3,689 sq. ft. at 150 Montreal Street for incorporation in the park development plan for North Street between Montreal and Sydenham Streets; and

   WHEREAS the owner has agreed to sell a reduced portion of the site of approximately 2,066 sq. ft. at a proportionately reduced price; and

   WHEREAS acquisition of a smaller site does not affect adversely the overall park development plan for North Street;

   THEREFORE BE IT RESOLVED that the site of approximately 2,066 sq. ft. at 150 Montreal Street as shown on the plan dated July 5, 1977 prepared by the Planning Department be acquired as provided for in the N.I.P. Redevelopment Plan and Budget and subject to the following conditions:

   a) a suitable fence is to be installed by the City of Kingston on the south side of the portion purchased;

   b) paving of the driveway on the vendor's property to a width of 20 feet is to be done at the City of Kingston's expense;

   c) the City of Kingston agrees to write into the deed a clause prohibiting the construction of any building on the site for a term of 25 years;

   d) payment and closing date to be July 15, 1977.

7. That the Cataraqui Region Conservation Authority be notified that the City approves the granting of a fill permit to Proac Development Limited, in respect to the property forming part of Lots 15 and 16, Concession I, subject to the following conditions:

   a) that the fill on the north side of the creek be removed; and

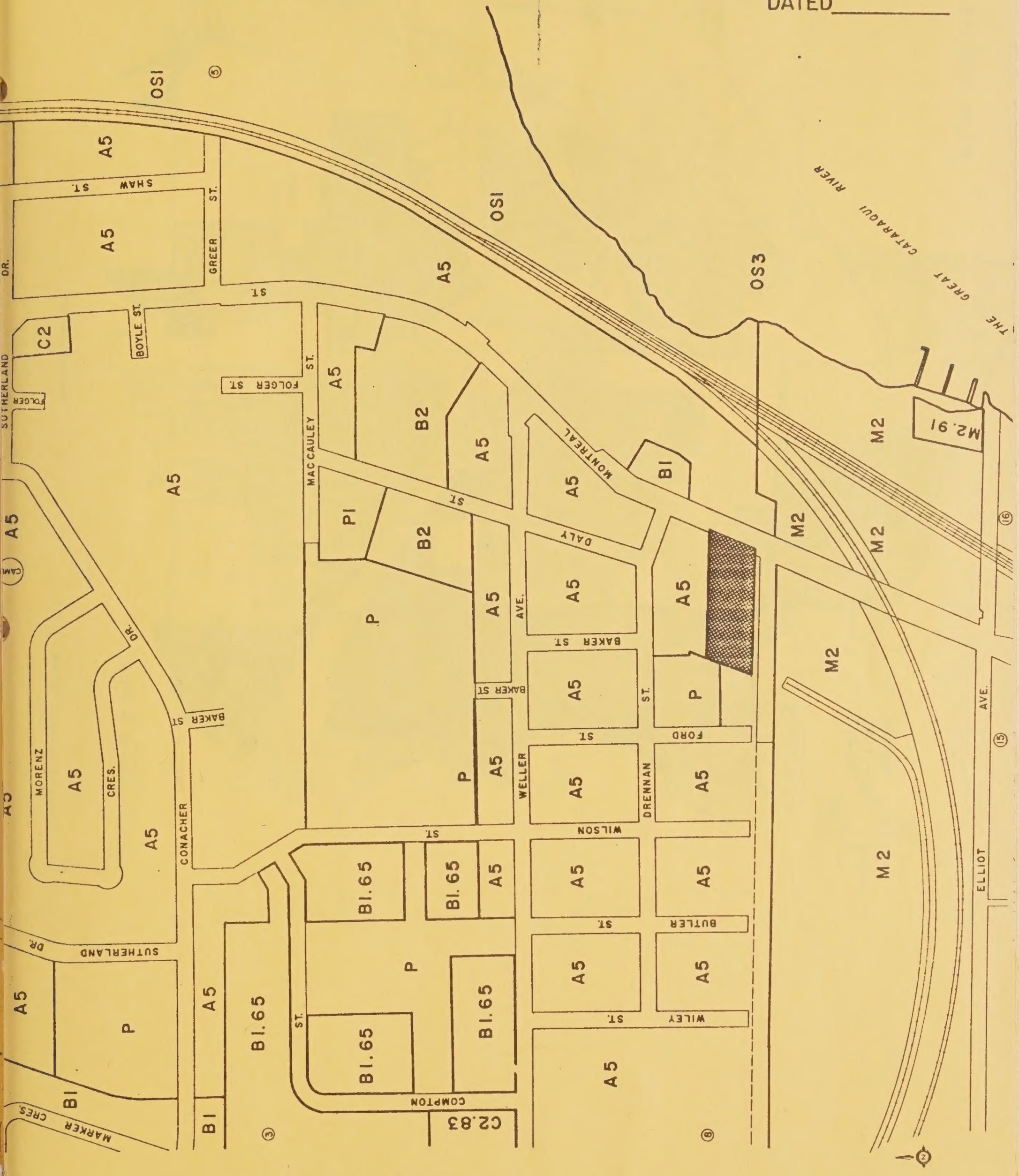
7. (cont'd)

b) that the slope on the south side of the creek is finished to the satisfaction of the Cataraqui Region Conservation Authority.

Respectfully submitted,

CHAIRMAN

SCHEDULE A
BY-LAW Nº 9052
DATED



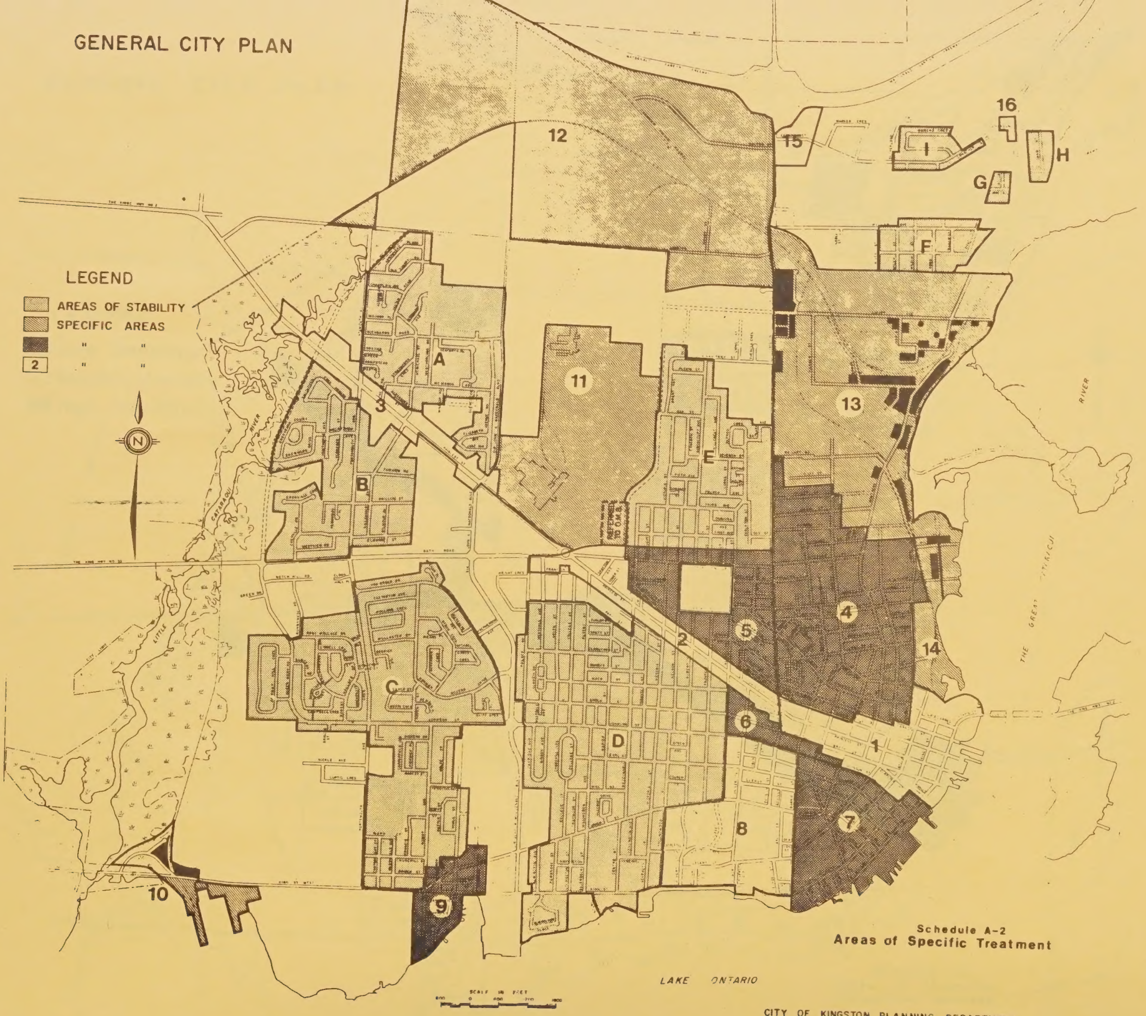
LEGEND

▨ PROPOSED ZONE CHANGE
A5 TO B1.134

MAP 7

BY-LAW Nº 8499
JULY 28, 1975
REVISED

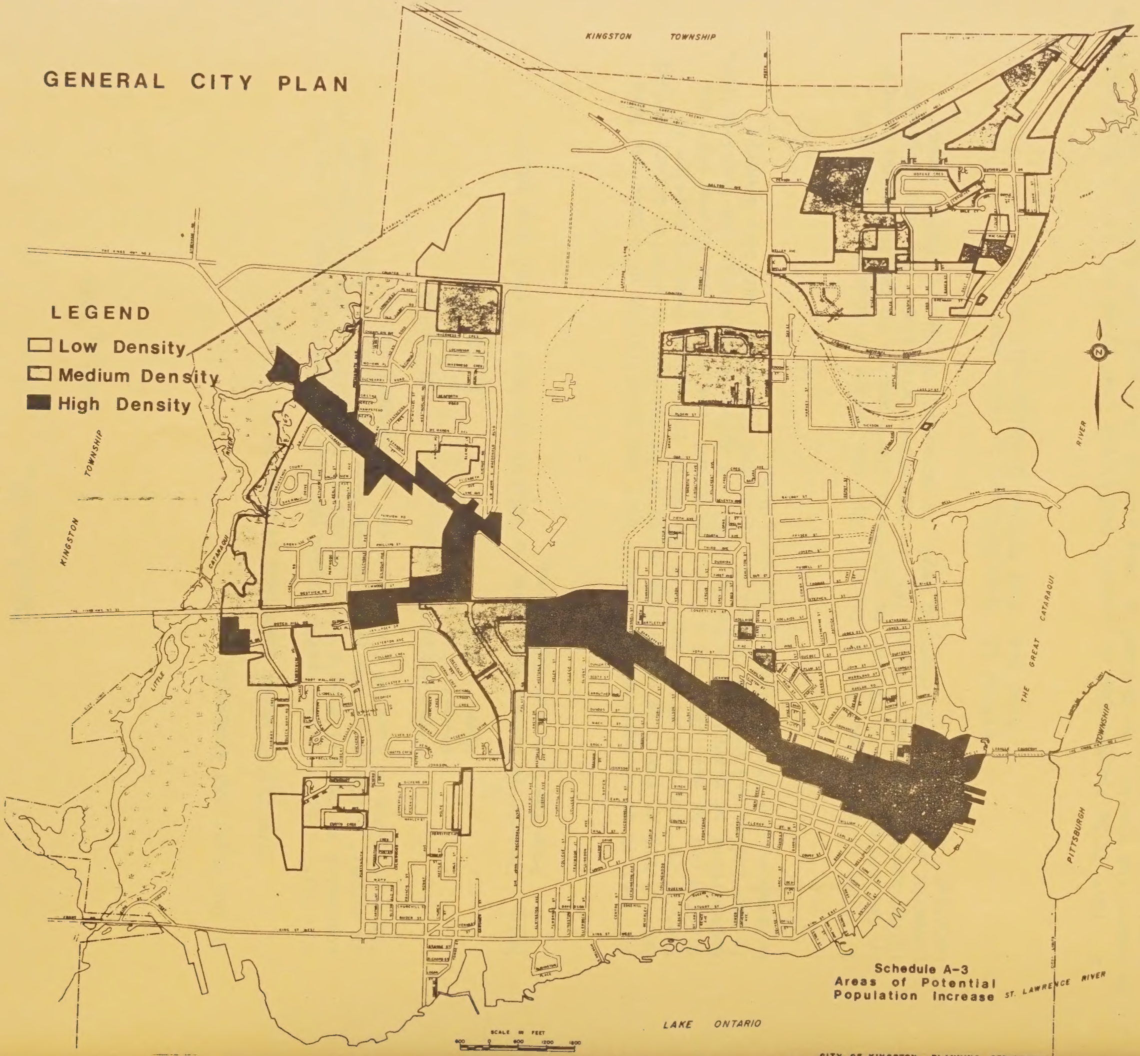
GENERAL CITY PLAN



Schedule A-2
Areas of Specific Treatment

CITY OF KINGSTON PLANNING DEPARTMENT.

GENERAL CITY PLAN



Schedule A-3
Areas of Potential
Population Increase

CITY OF KINGSTON PLANNING DEPARTMENT

Report No. 76

July 4, 1977

To the Mayor and Aldermen:

The Public Works Committee recommends as follows: -

1. That, since a sufficiently signed petition has been received, it be recommended to Council that a bylaw be passed to authorize the construction of an asphalt pavement on the lane running from Raglan Rd. to John St. under the provisions of Section 7 of the Local Improvement Act at:

Total estimated cost............	$3,715.58
Corporation's share.............	$1,518.26
Owner's share	$2,197.32

Note - Charges to owners are based on 100% of the cost if they have access from the lane and 50% if not.

2. That it be recommended to Council that the installation of a concrete twin box culvert on the City owned land north of Dalton Ave. to provide access across the Little Cataraqui Creek opposite the North End Sewage Pumping Station be carried out by day labour at a total estimated cost of $16,000.00 and that the expenditure be charged to Bylaw No. 9048 - A Bylaw to Authorize the Construction, in the Industrial Park, of Roadways, Curbs and Entrances, Sanitary Sewers, Watermains and Street Lighting (General Rate).

3. That it be recommended to Council that the tender of Donald A. Foley Ltd., in the amount of $178,796.00, to construct storm sewers in the following streets (Kingscourt Storm Sewers Phase II), in accordance with plans and specifications prepared by the City Engineering Dept. be accepted, being the lowest tender received: -

Alfred St. from Carleton to Third Ave.
Third Ave. from Alfred to MacDonnell St.

4. That it be recommended to Council that Clause 7 of Bylaw No. 14 - A Bylaw Relating to Sewers and Drains - be amended to read similar to Clause 2 of Bylaw No. 6263 - A Bylaw to Prohibit, Regulate and Control the Discharge of Industrial and Factory Wastes or Excessive Amounts of any Type of Sewage, including Institutional Discharge and to Provide for Imposing Surcharges - as follows:

By permit, no person shall discharge or cause to be discharged any of the following described kinds of sewage wastes into any sanitary sewer:

(a) Matter having a temperature higher than 65 degrees Celcius.

(b) Matter which may contain any volatile oils of more than one hundred (100) parts per million by weight of fat, oil, or grease of animal or vegetable origin or fifteen (15) parts per million of fat, oil, or grease of mineral origin.

(c) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive matter.

(d) Any ashes, cinders, garbage, sand, stone dust, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid of a type or quantity capable of causing obstruction to the flow in sewers or other interference with the proper operation of the water pollution control plant.

4. (e) Matter having a pH lower than 5.5 or higher than 9.5 or where the pH becomes lower than 5.5 or higher than 9.5 if the matter is diluted by any liquid.

(f) Matter that may cause the death of or injury to any person or capable of causing damage or hazard to structures, equipment and personnel of the sewage works.

(g) Hydrogen sulphide, carbon bisulphide, ammonia, trichloroethylene, sulphur dioxide, formaldehyde, chlorine, bromine, pyridine or any other matter that has or may cause an offensive odour or is capable of creating a public nuisance.

(h) Animal wastes such as hair, wool or fur, feathers, intestines or stomach casings, paunch manure, or intestinal contents, hides or parts thereof, hooves, toenails, horns, bones and fleshings.

(i) Matter containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process or constitutes a hazard to humans or animals. Included in this category are waters or wastes containing metals or chemicals such as cyanide, chromium, phenols, copper whose concentrations are more than:

Total Chromium as Cr	3 ppm
Cyanide as HCN	2 ppm
Phenol equivalents	50 ppb
Copper as Cu	1 ppm
All other heavy metals, other than iron	5 ppm

5. That it be recommended to Council that Council apply to C.H.M.C. for a loan for the sewer construction in Old Sir John A. MacDonald Blvd. between Counter St. and Elliott Ave., the estimated loan required being $49,419.93.

Respectfully submitted,

Chairman

REPORT NO. 77

July 7, 1977

To the Mayor and Members of Council:

The Committee on Finance and Accounts reports and recommends as follows:

1. That, as recommended by the Commissioner of Industries, the following budget appropriation amendment be approved in order to provide funds for six months salary for the full time Airport Supervisor.

	Increase	Decrease
AIRPORT		
- salaries & wages	$8,500	-
FINANCE		
- contingencies	-	$8,500

2. That the Acres-Shawingan Group be notified the City of Kingston has no objection to their commencing a feasibility study relevent to direct heating from a Central Heating Plant for the City of Kingston, in the downtown business area.

3. Whereas notification has been received from Samuel Springer & Sons Properties Limited requesting an inquiry into whether the taking of their lands, Civic No. 222 Princess Street, City of Kingston, for the purpose of improvements to the Grand Theatre, is fair, sound and reasonably necessary for the achievement of the objectives of The Corporation of the City of Kingston:

   THAT, pursuant to section 7(3) of *The Expropriations Act*, the referral of the request to the Chief Inquiry Officer be ratified and confirmed.

4. That the Minister of Housing be notified that The Corporation of the City of Kingston endorses the recommendation of The Planning Act Review Committee that the Planning Act be amended to "require the Minister to establish regulations setting out maximum fees to be charged for zoning by-laws, official plan amendments, subdivision plans, development review applications, consents and zoning variances".

5. That, as recommended by the Parks and Recreation Committee, the following budget appropriation amendment be approved in order to provide $1,625.00 to Kingston Day Care Incorporated (being one-quarter of the estimated cost of constructing a preschool playground at 10 Chapman Street) to support their application for a Wintario Grant toward the cost of constructing their playground, on the understanding that the playground at 10 Chapman Street will be made available for public use on evenings and week-ends, thereby providing a needed recreational facility for this area of the City:

	Increase	Decrease
FINANCE		
- contingencies	-	$1,625
- Grants - Kingston Day Care Inc.	$1,625	-

5. (Cont'd)

(Note: Cost Estimates of Work are:

Asphalt:	*$2,000*
Planters, fences, gates, mound, sand boxes, etc.:	*1,500*
Large Adventure climber, Outdoor Water Play Stand and a Storage - Play House:	*3,000*
TOTAL	*$6,500)*

6. That, as recommended by the City Treasurer:

(A) The Bank of Nova Scotia, Kingston, Ontario is authorized and directed to pay any and all cheques against the account of the Corporation which may be presented for payment bearing the facsimile signature, affixed by means of a rubber stamp, lithographed or impressed thereon by mechanical means, of Ken Keyes and B.G. Cousens to all intents and purposes as though such cheques had been signed in own handwriting and duly issued by such signing officer with the authority and on behalf of the Corporation.

(B) It is also agreed that in consideration of the Bank's paying or negotiating cheques issued on behalf of the Corporation and bearing the mechanically imprinted facsimile signature of Ken Keyes and B.G. Cousens the Corporation will and hereby does undertake to hold the Bank harmless from and indemnified against all loss, costs, damages and expenses arising out of the payment or the negotiation of any cheque on which the facsimile signature has been wrongfully affixed.

7. That, as recommended by the Public Works Committee, since the tender prices for Contract 77/2W were very favourable and below the estimates, Contract 77/2W with Bennett Paving and Materials Ltd. be amended to include the placement of an asphalt overlay on Conacher Drive from easterly junction with Morenz Cres. to the westerly junction at a total estimated cost of $1,100.00.

8. That, as recommended by the Public Works Committee, a by-law be presented to Council to authorize the acquisition of 0.022 acres (953.4 s.f.) of land from the Ontario Housing Corporation on north side of Johnson Street to permit the relocation of a section of the Johnson St. sidewalk in order to improve the intersection of Sir John A. MacDonald Blvd. and Johnson St., all as shown on Drawing Part Plan B-814, it being understood that the City will assume the responsibility for relocating a section of fence owned by the Ontario Housing Corporation that presently encroaches upon City owned land.

9. That, as recommended by the Public Works Committee, a by-law be presented to Council to authorize the construction of asphalt pavement, with road widening, curb, gutter and boulevard on the south side, on Old Quarry Road from Indian Road 155.0 feet easterly to existing pavement, under the provisions of Section 7 of The Local Improvement Act at a total estimated cost of $6,515.00:

9. (Cont'd)

Total cost	$6,515.00	
Owner's share	188.96	$6,326.04
Anticipated M.T.C. share		3,000.00
City's share		$3,326.04
Debenture amount		$3,515.00

-and-

As funds have not been provided for this work in the Capital Budget, that $3,515.00 be reallocated from the $33,000.00 provided in the 1977 Capital Budget for the reconstruction of miscellaneous roads from the General Rate to "Road Construction - Local Improvements".

10. That the Corporation of the City of Kingston hereby consents to the use of the word "Kingston" in the name *Kingston Theatre Organ Society*.

11. That, in the matter of a Board of Arbitration between the City and the Kingston Professional Firefighters Association:

(A) the appointment of Mr. G.V. Timlin, Employees Benefits Officer, City of Ottawa, as the City's nominee to the Board of Arbitration, and

(B) the retention of Mr. R.A. Little, Q.C., as the City's legal counsel,

be ratified, confirmed and approved.

12. That a civic reception be sponsored for The World Albacore Championships Regatta at Portsmouth Olympic Harbour on July 25, 1977, at a cost of $600 to be changed to the appropriation "Finance-Civic Receptions".

13. That the government of Ontario be notified that the Council of the City of Kingston recommends that the proposed O.H.I.P. Office Building be located in the Downtown core of the City of Kingston, preferably on a presently vacant site.

14. That the service contract with Mills Office Suppliers Limited for the A.B. Dick 1500 Copy/Duplicating System, comprised of duplicator, platemaker and conversion unit, be renewed for the period June 1, 1977, to November 30, 1977, (6 Months) for the sum of $993.00.

(Note: 1. This is one-half of annual contract of $1,986., was $1,890. last year.

2. Service contract for the Model 720 sorter/collator, which is an adjunct to the 1500 Duplicating System, for period April 1, 1977, to March 31, 1978, in amount of $335.00 was renewed in March, 1977.)

15. That the sum of $6,000.00 be advanced to the Kingston Queen's Silver Jubilee Committee, it being understood that $3,000.00 will be recovered under the Queen's Jubilee Wintario Program and that $3,000.00 be provided from the unexpended KOPEC Reserve Funds.

(Note: Discussed at Finance Meeting No. 21: 77-345)

Respectfully submitted,

UNFINISHED BUSINESS

BY-LAWS

(A) That By-Laws 1 to 10 be given their first and second readings.

(B) That Rule 35 of By-Law No. 1 be suspended for the purpose of giving By-Laws 5 to 10 their third reading.

(C) That By-Laws 5 to 16 be given their third reading.

(1) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Rezone 2.5 acre parcel of Land Located at the Northwest Corner of Montreal and Briceland Streets from A5 (one and two-family) Residential to B1.134 (multiple family) Residential)

(FIRST AND SECOND READINGS) (PROPOSED NO. 9052)
Clause 1(B), Report No. 75, 1977

(2) A By-Law to Authorize the Construction of an Asphalt Pavement on Lane Running From Raglan Road to John Street Under the Provisions of Section 7 of the Local Improvement Act.
(Petition)

(FIRST AND SECOND READINGS) (PROPOSED NO. 9053)
Clause 1, Report No. 76, 1977

(3) A By-Law to Authorize the Acquisition of Land from Ontario Housing Corporation for Widening a Portion of the North Side of Johnson Street

(FIRST AND SECOND READINGS) (PROPOSED NO. 9054)
Clause 8, Report No. 77, 1977

(4) A By-Law to Authorize the Construction of an Asphalt Pavement, With Road Widening, Curb, Gutter and Boulevard on the South Side, on Old Quarry Road from Indian Road Easterly 155. feet to Existing Pavement, Under the Provisions of Section 7 of the Local Improvement Act

(FIRST AND SECOND READINGS) (PROPOSED NO. 9055)
Clause 9, Report No. 77, 1977

(5) A By-Law to Amend By-Law No. 495, "A By-Law to Provide for a Parking Meter Zone in Certain Streets or Portions Thereof, and to Provide for the Installation, Regulations, Supervision and Control of Such Parking Meters" (Clause 1, Report No. 74.)

(THREE READINGS) (PROPOSED NO. 9056)
Clause 1, Report No. 74, 1977

(Note: Ministry approval Required.)

(6) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of The City of Kingston, Subject to the Provisions of The Highway Traffic Act" (Clause 1, Report No. 74)

(THREE READINGS) (PROPOSED NO. 9057)
Clause 1, Report No. 74, 1977

(Note: Ministry Approval Required.)

BY-LAWS (Cont'd)

(7) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of The City of Kingston, Subject to the Provisions of The Highway Traffic Act" (Clauses 4 and 6, Report No. 74.)

(THREE READINGS) (PROPOSED NO. 9058)
Clauses 4 and 6, Report No. 74, 1977

(8) A By-Law to Amend the Official Plan of the City of Kingston Planning Area (Amendment No. 91: Northwest Corner of Montreal and Briceland Streets - from Residential Low Density to Residential Medium Density)

(THREE READINGS) (PROPOSED NO. 9059)
Clause 1(A), Report No. 75, 1977

(9) A By-Law to Amend the Official Plan of the City of Kingston Planning Area (Amendment No. 92: Designation of Densities Within Areas of Potential Population Increase)

(THREE READINGS) (PROPOSED NO. 9060)
Clause 3, Report No. 75, 1977

(10) A By-Law to Confirm the Proceedings of Council at Its Meeting Held on July 11, 1977

(THREE READINGS) (PROPOSED NO. 9061)

(11) A By-Law to Authorize the Reconstruction of Certain Pavements in the City of Kingston (General Rate)

(THIRD READING) (PROPOSED NO. 8942)
Clause 12A, Report No. 104, 1976

(12) A By-Law to Authorize Improvements, Alterations and Extensions of the Electrical Distribution System of the City of Kingston in the Amount of $200,000.00.

(THIRD READING) (PROPOSED NO. 9010)
Clause 6, Report No. 35, 1977

(13) A By-Law to Stop Up and Close a Portion of Queen's Crescent between University Avenue and Albert Street.

(THIRD READING) (PROPOSED NO. 9034)
Clause 3, Report No. 61, 1977

(14) A By-Law to Authorize the Reconstruction of Certain Concrete Sidewalks (General Rate).

(THIRD READING) (PROPOSED NO. 9039)
Clause 15, Report No. 65, 1977

(15) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Rezone 0.2 Acre Parcel of Land Located at the Northwest Corner of Clergy and Queen Streets From A (One and Two Family) Residential to A.132 (One and Two Family) Residential).

(THIRD READING) (PROPOSED NO. 9045)
Clause 1(B), Report No. 66, 1977
and
Clause 4, Report No. 75, 1977

BY-LAWS (Cont'd)

(16) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Rezone 4.9 Acre Parcel of Land Located North of Elmwood Street and West of Sir John A. MacDonald Boulevard From B1 (Multiple Family) Residential to B3.133 (Multiple Family) Residential.

(THIRD READING) (PROPOSED NO. 9046)
Clause 4, Report No. 66, 1977

MOTIONS

Local Govt.

CITY COUNCIL MEETING NO. 19

The Regular Meeting of City Council was held in the Council Chamber at City Hall on Monday, July 11, 1977 at 8:04 P.M. His Worship Mayor Keyes presided.

ROLL CALL

Mayor Keyes, Ald. Allmark, Ald. Breen, Ald. Clements, Ald. French, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb. (14)

TABLING OF DOCUMENTS

MINUTES

Moved by Ald. Clements,
Seconded by Ald. French,

That the Minutes of City Council Meeting No. 18, held on June 27, 1977, be adopted as printed.

CARRIED

COMMUNICATIONS

Council consented to the addition of Communications 424 to 429.

Filed

(399) A letter of appreciation from the wives who attended the Chief Executives' Conference for the warm welcome the Mayor gave them and the tour through City Hall, and thanking Council for the ride on the Confederation Train.

(400) Copy of *"AMO - legislative bulletin"*, *Volume VII*, *Issue 2*, dated June, 1977.

(Note: Copies have been distributed to all members of Council.)

(401) Copy of *"Current Topics"*, Volume 3, Number 1, dated May, 1977, from the Association of Major Power Consumers in Ontario.

(402) From the Hon. Keith Norton, Minister of Community and Social Services, acknowledging receipt of copies of the City's Resolutions regarding Dog Control and Car Washes.

CA4
ON
K16-A05
M31

COMMUNICATIONS (Cont'd)

Referred to Community Services Committee

(403) From the City of St. Catharines commenting on the City of Kingston's resolution re: definition of "control" in the Dog Licencing and Livestock and Poultry Protection Act and notifying of their definition of "control" as follows in their Dog Control By-Law:

> *"A dog shall be deemed to be not under the control of any person when the dog is not on a lead held by a person or is not otherwise physically restrained."*

Referred to the Finance and Accounts Committee

(404) Copy of a resolution passed by the Council of the City of St. Thomas concerning the Auto Pact and requesting that the City of Kingston write the local M.P. and Members of the Federal Cabinet with a resolution of Council expressing concern and interests about the problem of auto parts and the imbalance in trade.

Referred to the Housing Subcommittee

(405) Copy of *"Awards 1977"* from the Canadian Housing Design Council.

(406) Copy of *"Mainstream"*, Volume 1, Number 2, June 1977.

(407) Copy of a statement by The Honourable Andre Ouellet, Minister of State for Urban Affairs on Canadian Home Insulation Program.

(408) From the Ministry of Housing, acknowledging receipt of the Kingston Municipal Housing Statement; submitting copies of outline sheets containing details of the Ministry of Housing programs available to all municipalities; and notifying that the Ministry are unable to act on the City's statement until it is approved by Council and resubmitted to the Ministry.

Which Had Been Referred to the City of Kingston Planning Board

(409) From the Ministry of Housing, Plans Administration Division, the proposed Amendment No. 9 to the Official Plan for the Pittsburgh Planning Area for Council's examination and comments to be sent to them within 60 days from the date of their letter (June 30, 1977).

Referred to Community Services Committee

(410) Copy of *"Children's Services"* from the Ministry of Community and Social Services, dated June 10, 1977.

(411) Copy of *"Kingston Fire Department Annual Report 1976"*.

(Note: Copies have been distributed to all members of Council.)

COMMUNICATIONS (Cont'd)

Filed

(412) Copy of *"Civic Affairs"*, dated June 1977 from the Bureau of Municipal Research.

(Note: Copies have been distributed to all members of Council.)

(413) From the United Way of Kingston and District, a letter of thanks to City Council for usage of City's meeting rooms for their Annual General Meeting and a Board of Directors Meeting on June 16, 1977 without charge and noting "Your meeting rooms are excellent.".

Referred to the Finance and Accounts Committee

(414) From Ontario Municipal Personnel Association, a copy of the Brief setting out the Association's views to the Honourable Justice Kelly, in connection with his study of the present Grievance Arbitration System in Ontario for City Council's consideration and endorsation.

Filed

(415) From the Ministry of Transportation and Communications, authorizing a subsidy allocation for the City of Kingston for 1977 traffic signal installation, in the amount of $15,000.

Which Had Been Referred to the City of Kingston Planning Board

(416) From Ernest Valorie Swain, Q.C., advising that he is acting on behalf of Churchill News Limited who has agreed to purchase 417 Bagot Street conditional upon a zoning change that will allow Churchill News Limited to carry on its business of wholesale and retail newspaper and magazine distribution from this location and informing that his client has until August 31st to satisfy the zoning change requested and requesting a zone change for 417 Bagot Street from A, Commercial, to Revised Commercial.

(See Also Communication 429)

Filed

(417) From the Ministry of Transportation and Communications, advising Council of their approval of a second advance payment of subsidy in the amount of $340,800. to be made to the City of Kingston.

(418) Copy of *"AMO NEWS"*, dated June 1977 from the Association of Municipalities of Ontario.

(419) Copy of *"Background"*, dated June 17, 1977 from the Honourable Darcy McKeough, Treasurer of Ontario.

(Note: Copies have been distributed to all members of Council.)

COMMUNICATIONS (Cont'd)

Referred to Housing Subcommittee

(420) From the Central Mortgage and Housing Corporation results of the semi-annual apartment vacancy survey and asking rentals for the vacant units conducted in the Kingston Census Agglomeration.

City of Kingston Vacancy Rate in Private Apartment Structures of 6 units and over as of April 1977 = 1.4%

Filed

(421) From the City of Niagara Falls, notifying of their endorsement of Council's Resolution requesting the Provincial Government to amend the Dog Licencing and Poultry Protection Act.

(422) From Lily Inglis and Wilfred Sorensen, setting for scheduling for certain tenders for the new Public Library:

	Tenders Due	Installed by
Carpet	July 20	December 13
Book Shelving	July 20	December 20
New Furniture	July 20	December 23

Referred to the Community Services Committee

(423) From the Fire Service Advisor, Ontario Fire Marshal's Office, Belleville, notifying that the Office of the Fire Marshal has been requested to conduct a Regional Fire Prevention School in the Kingston area; that application forms have been forwarded to the Fire Chief; that students will be expected to attend all classes to receive a certificate issued by the Ontario Fire College; and that the school, which will consist of 40 hours of instruction, has no registration fee or school costs, but each Municipality will be responsible for any cost incurred by their personnel such as loss of wages, etc.

Filed

(424) Copy of *"Background"*, dated June 30, 1977 from the Honourable Darcy McKeough, Treasurer of Ontario.

(Note: Copy has been distributed to each member of Council.)

(425) From the Honourable Keith C. Norton, M.P.P., Kingston and the Islands, and Minister of Community and Social Services, thanking the members of Council for their congratulations on his election.

(426) From the Agnes Etherington Art Centre, Queen's University, thanking the members of Council for the loan of the portraits of Sir John A. Macdonald, James Sampson and William Ford, Jr., used in their recent exhibition of works by William Sawyer and thanking the staff for their assistance with the transportation problems involved in moving the portraits.

COMMUNICATIONS (Cont'd)

Filed (Cont'd)

(427) From the Ontario Municipal Board, submitting revised Rules of Procedure to be taken by municipalities for land use by-laws which become effective as of September 1, 1977.

The main changes in the Procedure are:

(1) when a land use by-law increases the permitted density or changes the permitted use to commercial or industrial, when applying to the Board for approval, evidence is to be submitted from a responsible City official to the effect that the necessary local services, including water, sanitary sewers, storm sewers, roads, schools and parks are or will be available, and the amount of the cost to be incurred by the City (if any) in respect of such services not already provided;

(2) the time period for the filing of objections to the by-law or for requesting any changes in the by-law is increased from 14 days to 21 days after the date of mailing notices.

(428) From Mr. Douglas L. Hardtman, Q.C., City Solicitor, enclosing confirming opinion of Weir & Foulds, Barristers and Solicitors, Toronto, that the non-conforming use status of the property at 237 Montreal Street would extend to all of the building and that each of the units therein can be used for commercial purposes.

Referred to the City of Kingston Planning Board

(429) Further to Communication 416, from Ernest Valorie Swain, Q.C., notifying that an application has been made to the Committee of Adjustment concerning 417 Bagot Street and requesting that the application for a zone change for this property be placed in abeyance until further notice.

PETITIONS

(1) From the Kingston Downtown Business Assocation, having 142 signatures, and stating:

"*Revitalization of the Downtown Core has become a growing concern of most cities in North America.*

The Kingston Downtown Business Association in conjunction with many leaders of the Kingston community consider this to be a problem requiring immediate attention in our city. It is our belief that the strength of Downtown Kingston is dependent upon opportunities being created for people to live and work in the downtown area. In the past, such opportunities have presented themselves, but regrettably have not been realized. Now, once again, Kingston is being given the chance to take advantage of yet another opportunity.

The proposed OHIP facility must be seen as being of primary importance to downtown Kingston. Its presence would not only increase retail spending, but would also influence property values, and the quality of establishments in the area and add to the general pride of being situated downtown. Moreover the influx of a new working force would benefit the surrounding residential area in encouraging nearby housing and thereby reducing energy costs. Last but not least, this proposal would reinforce the government's general policy of revitalizing the downtown.

PETITIONS (Cont'd)

(1) (Cont'd)

We the undersigned therefore recommend that the OHIP building be situated on Princess Street between Ontario Street and Division Street. We strongly appeal to the Planning Board, City Council, and all other parties concerned, to make every endeavour to achieve this goal."

(Note: See Clause 13, Finance Report No. 77)

(Referred to Finance and Accounts Committee)

REPORTS

Ald. Miller presented Report No. 72 of the Community Services Committee as follows:

Moved by Ald. Miller,
Seconded by Ald. Tarnowecky,

That Report No. 72 of the Community Services Committee be received and adopted clause by clause.

REPORT NO. 72

June 30, 1977.

To the Mayor and Members of Council

The Community Services Committee reports and recommends as follows:

1. That NO ACTION be taken on the following resolution of the City of Cambridge:

"THAT WHEREAS the present date of biennial municipal elections in Ontario, the first Monday in December, often features inclement weather which greatly inconveniences and prevents voters, particularl elderly ones and cottage owners, from exercising their franchises;

AND WHEREAS many of these difficulties could be overcome by changing the date of voting to the month of October when many more citizens would not only take advantage of the warmer weather to cast ballots, but become more interested in the democratic process;

AND WHEREAS a Fall Election date with candidate inauguration within fifteen days thereafter would permit new Councillors to assume responsibilities, about November 1st, thereby enabling them to become familiar with Council Staff routine, legal position and implementatio of budgets authorized by the previous experienced Council;

AND WHEREAS during the interim between November and January of the next year, Councillors would be able to give careful study without the pressure of deadlines, to operating procedures and proposals for future capital expenditures thereby becoming more knowledgeable in determining policy, appointments to local Board and Citizens' Committees as well as budgeting preparation;

Report No. 72 - Community Services Committee (Cont'd)

1. (Cont'd)

THEREFORE BE IT RESOLVED that the Council of the City of Cambridge petition the Government of the Province of Ontario to change the date of the municipal biennial election to the third Monday in October, which would be of great benefit to all citizens of Ontario by permitting them to fully participate in the local election process and regain the initiative in governing the municipalities which has been greatly eroded by financial policies' considerations within the time limitations and pressures imposed by the December date.".

(Note: The Provincial Government has decided to change the date to the 3rd Monday in November.)

CARRIED

2. That the following resolution of the Regional Municipality of Waterloo BE ENDORSED:

"THAT the Regional Municipality of Waterloo indicate its grave concern regarding 'Psi Mind Development' Organization activities to the Premier of Ontario, the Ministry of Consumer and Commercial Affairs and the Attorney General and that the Ministry of Health be urged to thoroughly investigate said 'psi' activities.".

CARRIED 13:1

(Ald. Gerretsen opposed)

3. That the following resolution of the City of Owen Sound BE ENDORSED:

"WHEREAS by virtue of Section 466(2) of The Municipal Act, municipalities were granted a one year period within which to commence proceedings to enforce contraventions of Building By-Laws passed under Section 38 of the Planning Act; and

WHEREAS by virtue of Section 23(1) of The Ontario Building Code Act, 1974, it is provided that everyone who contravenes any provision of the Act is guilty of an offence and on summary conviction is liable to a fine; and

WHEREAS the Summary Convictions Act provides that no proceedings shall be instituted more than six months after the time when the subject matter of the proceedings arose; and

WHEREAS it is deemed expedient, desirable and necessary to provide a one year period within which to commence proceedings to enforce a contravention of The Building Code Act and Regulations.

NOW THEREFORE BE IT RESOLVED that the Province of Ontario be requested to amend The Building Code Act, 1974 to provide that proceedings to enforce a contravention of the Code may be initiated within one year after the time of the contravention and that imprisonment may be for a term of not more than six months.".

CARRIED

4. That, as requested by the Kingston and District Labour Council, City Council endorses their proposal to have a marquee where beer will be sold and served located at Lake Ontario Park as part of the Annual Labour Day Fest.

(Note: This approval is necessary in order for the Kingston and District Labour Council to obtain a liquor licence. Approval of the Department of Parks and Recreation to hold the Fest at Lake Ontario Park has already been received.)

CARRIED

5. That By-Law No. 1, "A By-Law to Regulate Council Procedures" be amended to add the following to Section 71 (a) (3):

Report No. 72 - Community Services Committee (Cont'd)

5. (Cont'd)

"that the Assistant to the Administrator of the Social Services Department shall have authority to certify vouchers in the absence of the Administrator.".

CARRIED

Respectfully submitted,

(Signed) *Lois E. Miller (Chairman)*
Y. Tarnowecky
B. E. Breen
John Clements
Neil McArthur

* * *

Ald. Matthews presented Report No. 73 of the Parks and Recreation Committee as follows:

Council consented to the addition of Clause 2 for presentation to Council.

Moved by Ald. Matthews,
Seconded by Ald. Gorham,

That Report No. 73 of the Parks and Recreation Committee be received and adopted clause by clause.

REPORT NO. 73

June 29, 1977

To the Mayor and Members of Council:

The Parks & Recreation Committee reports and recommends as follows:

1. That By-Law #19 - A By-Law to Provide for the Regulation Use of Parks and Recreational Facilities of the Corporation - be amended to include the following rates for Senior Citizens' recreational swims and hourly rental charge for off-hours at the Artillery Park Pool:

   a) Senior Citizens' Recreational Swim - Rate: 50¢

   b) Group Hourly Rental Rate during off-hours 7p.m. to 9 p.m. Monday to Friday and Saturday and Sunday Mornings - Rate: $18.00

2. That the final certificate and hold-back release for M. Sullivan & Sons Limited, for the construction of the work at the Artillery Park site, in the amount of $79,486.95, be approved for payment.

CARRIED

Respectfully submitted,

(Signed) *Ken Matthews, (Chairman)*
M. B. Gorham
G. Allmark
T. D. French
D. G. Timmins

* * *

Ald. Gerretsen presented Report No. 74 of the Transportation Committee as follows:

Council consented to the addition of Clause 11 for presentation to Council.

Moved by Ald. Gerretsen,
Seconded by Ald. Clements,

That Report No. 74 of the Transportation Committee be received and adopted clause by clause.

REPORT NO. 74

June 29, 1977

To the Mayor and Aldermen:

The Transportation Committee reports and recommends as follows:

1. That the eight parking meters on the south side of Princess Street east of Regent Street be removed and 'left turn only' lanes be installed on Princess Street at Tower Street for the Tower Street Parking Lot and also at Drayton Avenue.

(See By-Laws 5 and 6: No. 9056 and 9057) *CARRIED* 12:2
(Ald. Gorham and Ald. Timmins opposed)

2. That Queen's University be permitted to hold their Annual Homecoming Parade on October 15, 1977 at 11:00 a.m.

Note: The proposed route is to commence behind Victoria Hall, proceed to Queen's Crescent, north on University Avenue, east on Union Street, north on Division Street, west on William Street, south on University Avenue, then west on Union Street and from there proceed to Richardson Stadium for the Homecoming Football Game.

CARRIED

3. That, notwithstanding By-Law No. 10, Mr. Jozsef Szabo be permitted to retain the paving on a portion of City boulevard measuring 8 ft. by 43 ft. in front of 50 Baiden Street.

CARRIED 11:3
(Ald. Hawkins, Ald. Matthews,Ald. McArthur oppos

4. That By-Law No. 24 (Traffic By-Law) Section 10B be amended to include the proposed bus stops (as attached to the Transportation Agenda) in the Crestview Subdivision and also north of Weller Avenue.

(See By-Law 7: No. 9058) *CARRIED*

5. That, as requested by the Public Utilities Commission, permission be given for them to erect a bus shelter on City property in front of the Angada Wing subject to utility approval.

CARRIED 13:1
(Ald. McArthur opposed)

6. That Public Utilities Commission be permitted to locate a bus stop on the south side of Stuart Street from George Street 80 feet westerly.

(See By-Law 7: No. 9058) *CARRIED*

Report No. 74 - Transportation Committee (Cont'd)

7. That, as recommended by the Director of Purchasing, the tender be awarded, in part, as follows, these being the lowest tender received:

Solid State, Digital Controller Two Phase	C.G.E.	$6,038.00	
Signal Heads, 12" Red C/W Backboard	C.G.E.	900.00	
Signal Heads, 8" Red Without Backboard	C.G.E.	588.00	
Aluminum Signal Hangers	C.G.E.	475.20	
Mast Arms, 16'	C.G.E.	630.00	
Mast Arms, 14'	C.G.E.	576.00	
Mast Arms, 2'	C.G.E.	210.00	
Mast Arms, 4'	C.G.E.	228.00	
*Net price including 5% discount		$9,162.94*	
7 Conductor, #14 P.V.C.	Zenith Electric	307.00	
** FEDERAL SALES TAX INCLUDED			$9,4

CARRIED

8. That the right hand turning lane at the south west corner be now included in the intersection improvement at Sir John A. MacDonald Blvd. & Johnson Street at an approximate cost of $11,000 and that the contract be amended to include this work tendered unit prices.

Note: This proposed right turn lane had been deleted previous due to lack of funds. Due to favourable tender prices, surplus of approximately $11,000 was remaining on this project.

CARRIED

9. That the Ability Centre - Kingston be permitted to hold a "Sidewalk Sale" at their two outlets, 664 Princess Street and 428A Barrie Street, on July 28th and 29th, 1977 inclusive between the hours of 9:00 a.m. and 5:30 p.m.

CARRIED

10. That the Kingston Grenadier Drum Corps be permitted to hang a banner across Princess Street at Bagot Street from July 4th to July 24th, 1977 to advertise the Parade of Drums.

CARRIED

11. That, as requested by the Kingston Queen's Silver Jubilee Committee, Ontario Street be closed from 10:00 a.m. to 10:00 p.m. on July 16th, 1977 from Brock Street to Clarence Street in order that they may hold a parade and various festivities celebrating the Queen's Jubilee.

Note: The proposed route for the parade is from Victoria Park along Frontenac Street to Princess Street, down Princess Street to Ontario Street, and along to and in front of City Hall disbursing on Market Street. Entertainment is also planne for the entire day in front of City Hall.

CARRIED

Report No. 74 - Transportation Committee (Cont'd)

Respectfully submitted,

(Signed)
J. P. Gerretsen, (Chairman)
John Clements
T. D. French
Y. Tarnowecky
G. Webb

* * *

Ald. Clements presented Report No. 75 of the City of Kingston Planning Board as follows:

Council consented to the amendment of the typographical error in clause 6 by deleting from subclause c the word "building" and substituting therefore the word "residence".

Moved by Ald. Clements,
Seconded by Ald. Timmins,

That Report No. 75 of the City of Kingston Planning Board be received and adopted clause by clause.

REPORT NO. 75

July 5, 1977.

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. WHEREAS application has been filed to amend the Official Plan and Zoning By-Law for an approximately 2.5 acre parcel of land located at the northwest corner of Montreal and Briceland Streets in order to permit multiple family residential development at medium density; and

   WHEREAS this change will encourage the redevelopment of a site, within a residential area, that is presently occupied by an undesirable non-conforming use; and

   WHEREAS the site is considered to be an appropriate location for medium density residential development;

   THEREFORE BE IT RESOLVED that

   (A) The Official Plan be amended so as to redesignate the 2.5 acre parcel of land located at the northwest corner of Montreal and Briceland Streets from Residential, Low Density to Residential, Medium Density.

   (B) Zoning By-Law No. 8499 be amended:

   (a) by amending Zoning Map No. 7 so as to rezone the approximately 2.5 acre parcel of land located at the northwest corner of Montreal Street and Briceland Street, as shown on a copy of Zoning Map No. 7 which is attached hereto as Schedule "A", from A5 (one and two-family) Residential to B1.134 (multiple family Residential.

Report No. 75 - City of Kingston Planning Board (Cont'd)

1. (B) (Cont'd)

(b) By adding as Section 134 the following:

"134. On the approximately 2.5 acre parcel of land located at the northwest corner of Montreal and Briceland Streets and designated B1.134 on a copy of Zoning Map No. 7 attached to and forming part of By-Law No. 9052, as Schedule 'A', the maximum permitted height shall be 35 feet."

(See By-Laws 1 and 8; No. 9052 and 9059)

CARRIED

2. That Council does hereby certify that By-Law No.9052, "A By-Law to Amend By-Law No. 8499, 'Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston (Rezone 2.5 acre Parcel of Land Located at the Northwest Corner of Montreal and Briceland Streets from A5 (one and two-family) Residential to B1.134 (multiple family) Residential", is in conformity with the Official Plan of the Corporation of the City of Kingston when the foregoing current amendment proposed in Clause 1(A) has been approved.

CARRIED

3. WHEREAS the Ministry of Housing has suggested that the City consider adopting a technical amendment to the Official Plan with respect to the designation of densities in Areas of Potential Population Increase in order to expedite the approval process of future amendments; and

WHEREAS such an Amendment would also serve to make the Official Plan policies with respect to residential densities, easier to interpret;

THEREFORE BE IT RESOLVED that Council adopt the following amendments to the Official Plan:

a) Section 4(13) shall be amended by deleting the reference to Schedule D so that it shall read in full as follows:

"Residential areas will be designated for low, medium and high density as shown on the General City Plan (Schedules A-3 and 'D'). These are broad categories and indicate the maximum permitted density in projects or parts of the areas designated. Where a single residential project involves several buildings or a variety of housing types the maximum permissible density may be calculated comprehensively for the project as a whole, exclusive of lands required for streets, parks or other public purposes. In this manner a wider range of densities may be provided for in the zoning by-law implementing this plan, and through development control."

b) Section 5(84A) shall be deleted in its entirety and a new Section 5 (84A) shall be added, which reads in full as follows:

"Notwithstanding any policy to the contrary, on the approximately 0.55 acre parcel of land located on the east side of Montreal Street opposite and just north of the intersection with Hickson Avenue, and designated medium density on Schedule A-3, a 12-unit apartment building shall be permitted."

c) Section 5 (90) shall be deleted in its entirety and a new Section 5 (90) shall be added, which reads in full as follows:

Report No. 75 - City of Kingston Planning Board (Cont'd)

3. c) (Cont'd)

"Areas of Population Increase

Schedule A-3 indicates those areas in the City where residential use is permitted (excluding Areas of Stability and Industrial Areas) and where population may increase because of residential use changing to a higher density or because of new residential development. The densities permitted in these areas may be identified by referring to the legend on Schedule A-3."

d) Schedule A-2, Areas of Specific Treatment, shall be deleted and replaced with Schedule A-2 attached to this amendment.

e) Schedule A-3, Areas of Potential Population Increase, shall be deleted and replaced with Schedule A-3 attached to this amendment.

f) Schedule D, Designation of Densities in Areas of Potential Population Increase, shall be deleted in its entirety.

(See By-Law 9; No. 9060)

CARRIED

4. That Council reaffirm its decision to approve the zone change application submitted by Jacob, MacPherson, Stewart & Hogan, in respect to 235-237 Queen Street (A Residential to A.132 (one and two-family) Residential - see Clauses 1 and 2, Report No. 66), notwithstanding the letter of objection received from Mr. C. Clement, and noting that questions raised by Mr. Clement were fully discussed at the Public Meeting held with regard to this application.

(See By-Law 15; No. 9045)

CARRIED 13:1
(Ald. Clements opposed)

5. That the following plans, submitted by Gerald Splinter Ltd., for 18 two-storey attached dwelling units on the south side of Newcourt Place:

Drawing A-1 Site Plan - dated March 14, 1977
Drawing A-2 Floor Plan & Elevations - dated March 14, 1977
Drawing A-3 Basement Plan & Elevations - dated March 21, 1977
Drawing A-660-R - Grading Plan - dated October 30, 1976

be approved, subject to the applicant entering into a development control agreement which shall include the following conditions:

a) the development shall be in accordance with the above listed plans;

b) plans showing details of construction and materials of the proposed 'low garden wall' as shown on drawing A-1 shall be submitted for City approval (noting the wall should be built in accordance with By-Law 10);

c) a landscaping plan, including a hedge along the easterly and southerly edges of the property shall be submitted for City approval and implemented within one year of the date of issuance of the building permit.

CARRIED 13:1
(Ald. Timmins opposed)

Report No. 75 - City of Kingston Planning Board (Cont'd)

6. WHEREAS the Neighbourhood Improvement Programme Redevelopment Plan provides for the acquisition of the former Downtown Motors site of approximately 3,689 sq. ft. at 150 Montreal Street for incorporation in the park development plan for North Street between Montreal and Sydenham Streets; and

WHEREAS the owner has agreed to sell a reduced portion of the site of approximately 2,066 sq. ft. at a proportionately reduced price; and

WHEREAS acquisition of a smaller site does not affect adversely the overall park development plan for North Street

THEREFORE BE IT RESOLVED that the site of approximately 2,066 sq. ft. at 150 Montreal Street as shown on the plan dated July 5, 1977 prepared by the Planning Department be acquired as provided for in the N.I.P. Redevelopment Plan and Budget and subject to the following conditions:

a) a suitable fence is to be installed by the City of Kingston on the south side of the portion purchased;

b) paving of the driveway on the vendor's property to a width of 20 feet is to be done at the City of Kingston's expense;

c) the City of Kingston agrees to write into the deed a clause prohibiting the construction of any residence on the site for a term of 25 years;

d) payment and closing date to be July 15, 1977.

CARRIED AS AMENDED 13:1
(Ald. Hawkins opposed)

7. That the Cataraqui Region Conservation Authority be notified that the City approves the granting of a fill permit to Proac Development Limited, in respect to the property forming part of Lots 15 and 16, Concession I, subject to the followin conditions:

a) that the fill on the north side of the creek be removed; and

b) that the slope on the south side of the creek is finished to the satisfaction of the Cataraqui Region Conservation Authority.

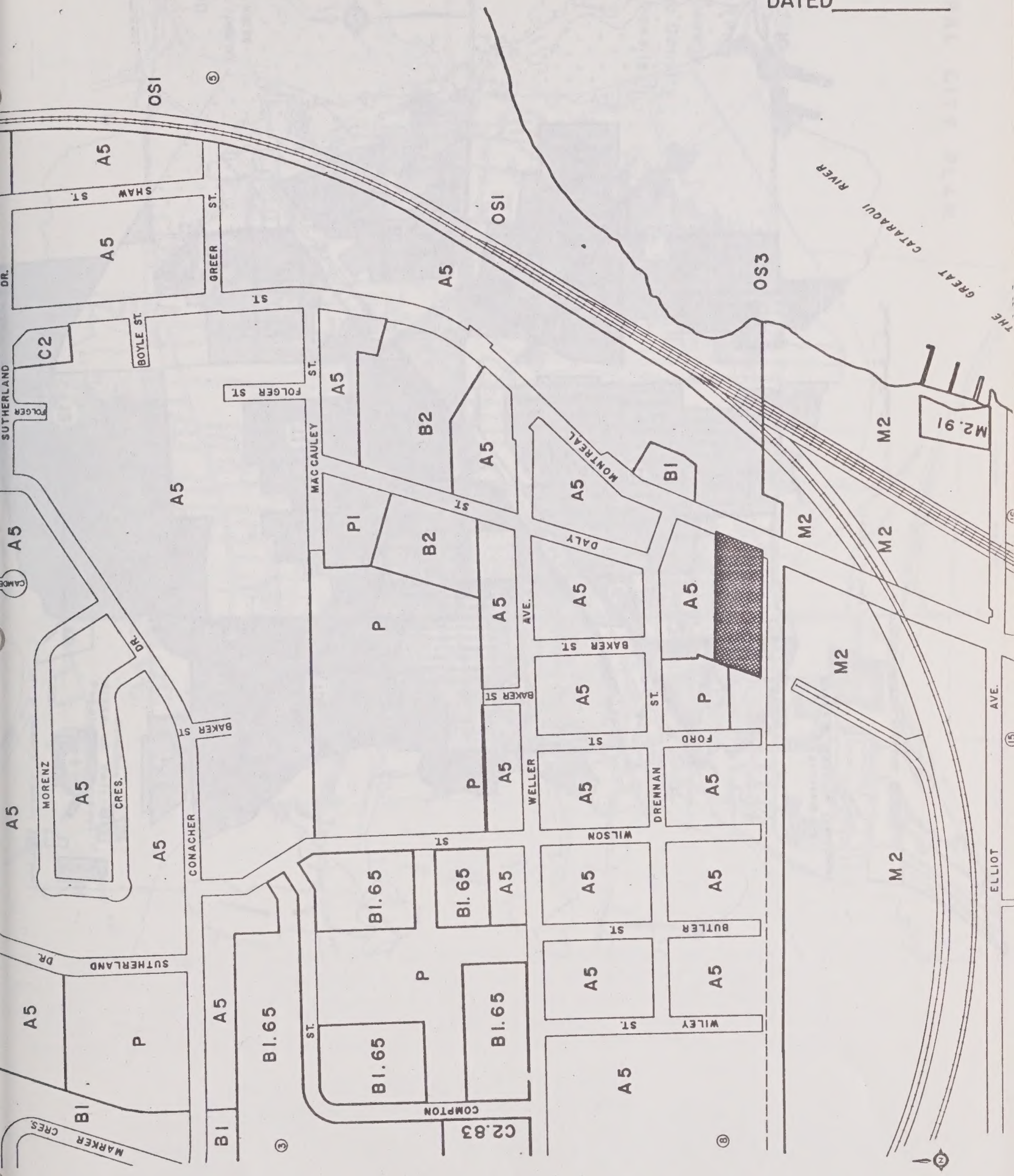
CARRIED

Respectfully submitted,

(Signed) *Ken Keyes*
K. W. Matthews
John Clements
G. Timmins

* * *

SCHEDULE A
BY-LAW Nº 9052
DATED____________

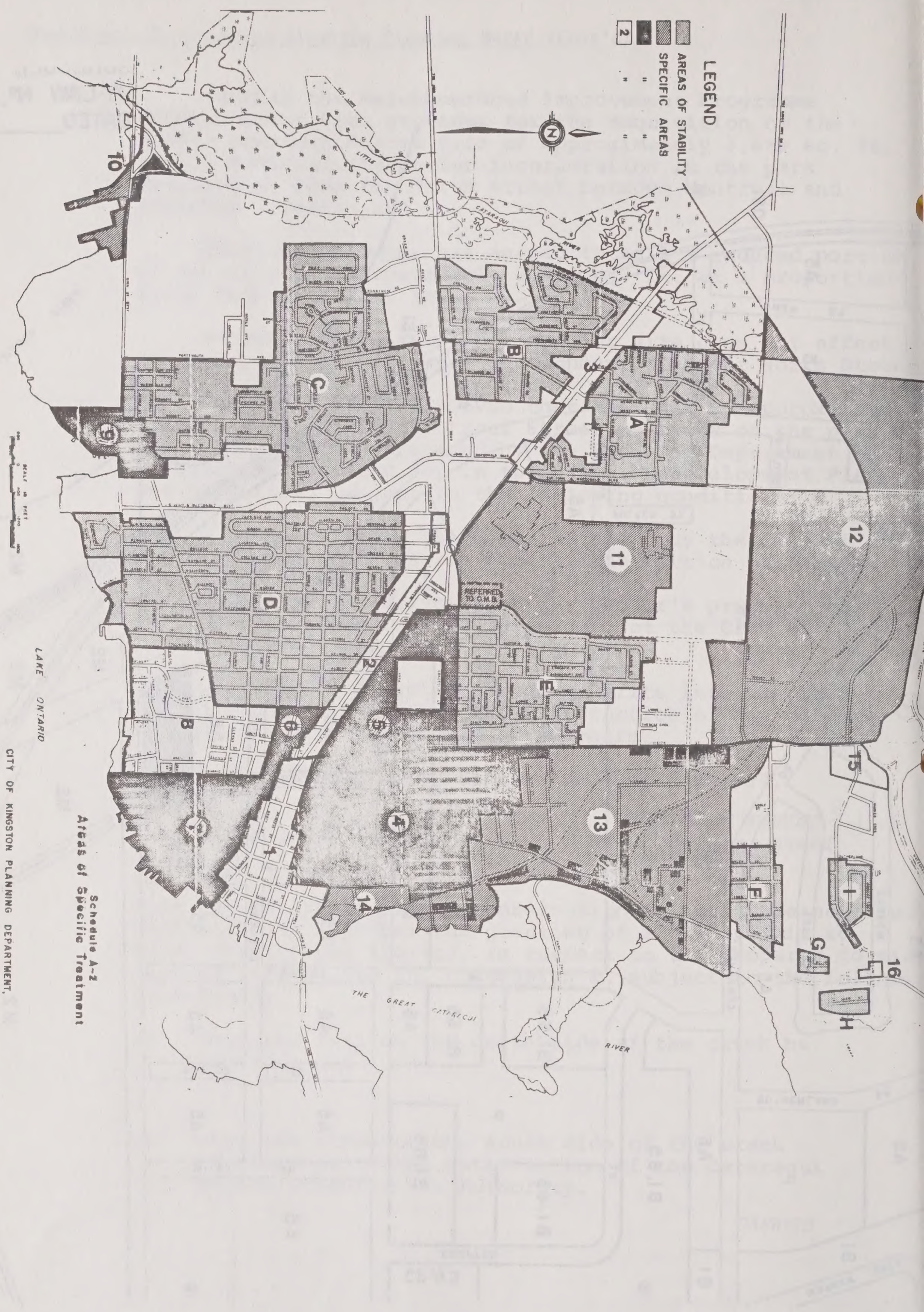


LEGEND

▨ PROPOSED ZONE CHANGE
A5 TO B1.134

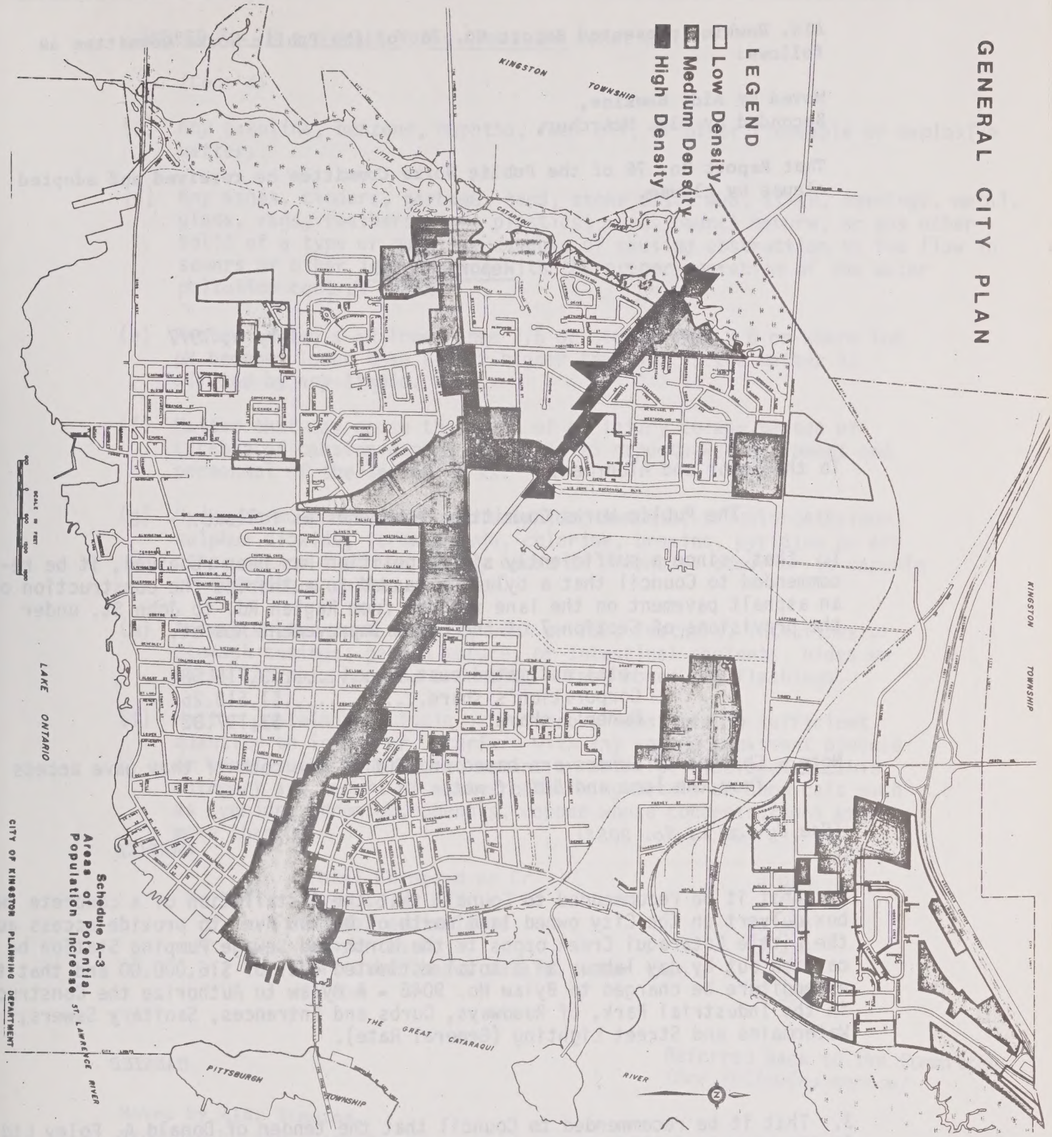
MAP 7

BY-LAW Nº 8499
JULY 28, 1975
REVISED____________



Schedule A-2
Areas of Specific Treatment

CITY OF KINGSTON PLANNING DEPARTMENT.


GENERAL CITY PLAN
LEGEND
▢ Low Density
▨ Medium Density
■ High Density
Schedule A-3
Areas of Potential Population Increase
CITY OF KINGSTON PLANNING DEPARTMENT
SCALE IN FEET
LAKE ONTARIO
KINGSTON TOWNSHIP
PITTSBURGH TOWNSHIP
LITTLE CATARAQUI RIVER
THE GREAT CATARAQUI RIVER
ST. LAWRENCE RIVER

Ald. Hawkins presented Report No. 76 of the Public Works Committee as follows:

Moved by Ald. Hawkins,
Seconded by Ald. McArthur,

That Report No. 76 of the Public Works Committee be received and adopted clause by clause.

Report No. 76

July 4, 1977

To the Mayor and Aldermen:

The Public Works Committee recommends as follows: -

1. That, since a sufficiently signed petition has been received, it be recommended to Council that a bylaw be passed to authorize the construction of an asphalt pavement on the lane running from Raglan Rd. to John St. under the provisions of Section 7 of the Local Improvement Act at:

Total estimated cost...........	$3,715.58
Corporation's share............	$1,518.26
Owner's share	$2,197.32

Note - Charges to owners are based on 100% of the cost if they have access from the lane and 50% if not.

(See By-Law 2: No. 9053)

CARRIED

2. That it be recommended to Council that the installation of a concrete twi box culvert on the City owned land north of Dalton Ave. to provide access acr the Little Cataraqui Creek opposite the North End Sewage Pumping Station be carried out by day labour at a total estimated cost of $16,000.00 and that th expenditure be charged to Bylaw No. 9048 - A Bylaw to Authorize the Constructi in the Industrial Park, of Roadways, Curbs and Entrances, Sanitary Sewers, Watermains and Street Lighting (General Rate).

CARRIED

3. That it be recommended to Council that the tender of Donald A. Foley Ltd., in the amount of $178,796.00, to construct storm sewers in the following stree (Kingscourt Storm Sewers Phase II), in accordance with plans and specification prepared by the City Engineering Dept. be accepted, being the lowest tender received, subject to Ministry of Transportation and Communications approval:

Alfred St. from Carleton to Third Ave.
Third Ave. from Alfred to MacDonnell St.

CARRIED

4. That it be recommended to Council that Clause 7 of Bylaw No. 14 - A Bylaw R to Sewers and Drains - be amended to read similar to Clause 2 of Bylaw No. 6263 - A Bylaw to Prohibit, Regulate and Control the Discharge of Industrial and Fact Wastes or Excessive Amounts of any Type of Sewage, including Institutional Discharge and to Provide for Imposing Surcharges - as follows:

By permit, no person shall discharge or cause to be discharged any of the following described kinds of sewage wastes into any sanitary sewer:

(a) Matter having a temperature higher than 65 degrees Celcius.

(b) Matter which may contain any volatile oils of more than one hundred (100) parts per million by weight of fat, oil, or grease of animal or vegetable origin or fifteen (15) parts per million of fat, oil, or grease of minera origin.

Report No. 76 - Public Works Committee (Cont'd)

4. (Cont'd)

(c) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive matter.

(d) Any ashes, cinders, garbage, sand, stone dust, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid of a type or quantity capable of causing obstruction to the flow in sewers or other interference with the proper operation of the water pollution control plant.

(e) Matter having a pH lower than 5.5 or higher than 9.5 or where the pH becomes lower than 5.5 or higher than 9.5 if the matter is diluted by any liquid.

(f) Matter that may cause the death of or injury to any person or capable of causing damage or hazard to structures, equipment and personnel of the sewage works.

(g) Hydrogen sulphide, carbon bisulphide, ammonia, trichloroethylene, sulphur dioxide, formaldehyde, chlorine, bromine, pyridine or any other matter that has or may cause an offensive odour or is capable of creating a public nuisance.

(h) Animal wastes such as hair, wool or fur, feathers, intestines or stomach casings, paunch manure, or intestinal contents, hides or parts thereof, hooves, toenails, horns, bones and fleshings.

(i) Matter containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process or constitutes a hazard to humans or animals. Included in this category are waters or wastes containing metals or chemicals such as cyanide, chromium, phenols, copper whose concentrations are more than:

Total Chromium as Cr	3 ppm
Cyanide as HCN	2 ppm
Phenol equivalents	50 ppb
Copper as Cu	1 ppm
All other heavy metals, other than iron	5 ppm

Referred Back to the Committee
(See following motion)

Moved by Ald. Timmins,
Seconded by Ald. Gorham,

That clause 4, Report No. 76 be referred back to committee.

CARRIED

5. That it be recommended to Council that Council apply to C.H.M.C. for a loan for the sewer construction in Old Sir John A. MacDonald Blvd. between Counter St. and Elliott Ave., the estimated loan required being $49,419.93.

CARRIED

Respectfully submitted,

(Signed) *J. Hawkins (Chairman)*
Neil McArthur
G. Allmark
B. E. Breen
M. B. Gorham

* * *

Ald. Gerretsen presented Report No. 77 of the Finance and Accounts Committee as follows:

Council consented to:

(a) the amendment of clause 9 by revising the detail of the costs, as follows, and by deleting in the last paragraph the amount "$3,515.00" and substituting therefore "$3,331.35";

"Total cost.........	$6,515.00	
Owner's share......	147.69	$6,367.31
Anticipated MTC share..........		3,183.65
City's share..................		3,183.66
Debenture amount..............		$3,331.35"

(b) To the WITHDRAWAL of clause 13, which will be dealt with at a special meeting of council on July 14, 1977 and

(c) to the addition of clause 16 for presentation to council.

Moved by Ald. Gerretsen,
Seconded by Ald. Matthews,

That Report No. 77 of the Finance and Accounts Committee be received and adopted clause by clause.

REPORT NO. 77

July 7, 1977

To the Mayor and Members of Council:

The Committee on Finance and Accounts reports and recommends as follows:

1. That, as recommended by the Commissioner of Industries, the following budget appropriation amendment be approved in order to provide funds for six months salary for the full time Airport Supervisor.

	Increase	Decrease
AIRPORT		
- salaries & wages	$8,500	-
FINANCE		
- contingencies	-	$8,500

CARRIED

2. That the Acres-Shawingan Group be notified the City of Kingston has no objection to their commencing a feasibility study relevent to direct heating from a Central Heating Plant for the City of Kingston, in the downtown business area.

CARRIED

3. Whereas notification has been received from Samuel Springer & Sons Properties Limited requesting an inquiry into whether the taking of their lands, Civic No. 222 Princess Street, City of Kingston, for the purpose of improvements to the Grand Theatre, is fair, sound and reasonably necessary for the achievement of the objectives of The Corporation of the City of Kingston:

THAT, pursuant to section 7(3) of *The Expropriations Act*, the referral of the request to the Chief Inquiry Officer be ratified and confirmed.

CARRIED

Report No. 77 - Finance and Accounts Committee (Cont'd)

4. That the Minister of Housing be notified that The Corporation of the City of Kingston endorses the recommendation of The Planning Act Review Committee that the Planning Act be amended to "require the Minister to establish regulations setting out maximum fees to be charged for zoning by-laws, official plan amendments, subdivision plans, development review applications, consents and zoning variances".

CARRIED

5. That, as recommended by the Parks and Recreation Committee, the following budget appropriation amendment be approved in order to provide $1,625.00 to Kingston Day Care Incorporated (being one-quarter of the estimated cost of constructing a preschool playground at 10 Chapman Street) to support their application for a Wintario Grant toward the cost of constructing their playground, on the understanding that the playground at 10 Chapman Street will be made available for public use on evenings and week-ends, thereby providing a needed recreational facility for this area of the City:

	Increase	Decrease
FINANCE		
- contingencies	-	$1,625
- Grants - Kingston Day Care Inc.	$1,625	-

(Note: Cost Estimates of Work are:

Asphalt:	*$2,000*
Planters, fences, gates, mound, sand boxes, etc.:	*1,500*
Large Adventure climber, Outdoor Water Play Stand and a Storage - Play House:	*3,000*
TOTAL	*$6,500*)

CARRIED

6. That, as recommended by the City Treasurer:

(A) The Bank of Nova Scotia, Kingston, Ontario is authorized and directed to pay any and all cheques against the account of the Corporation which may be presented for payment bearing the facsimile signature, affixed by means of a rubber stamp, lithographed or impressed thereon by mechanical means, of Ken Keyes and B.G. Cousens to all intents and purposes as though such cheques had been signed in own handwriting and duly issued by such signing officer with the authority and on behalf of the Corporation.

(B) It is also agreed that in consideration of the Bank's paying or negotiating cheques issued on behalf of the Corporation and bearing the mechanically imprinted facsimile signature of Ken Keyes and B.G. Cousens the Corporation will and hereby does undertake to hold the Bank harmless from and indemnified against all loss, costs, damages and expenses arising out of the payment or the negotiation of any cheque on which the facsimile signature has been wrongfully affixed.

CARRIED

7. That, as recommended by the Public Works Committee, since the tender prices for Contract 77/2W were very favourable and below the estimates, Contract 77/2W with Bennett Paving and Materials Ltd. be amended to include the placement of an asphalt overlay on Conacher Drive from easterly junction with Morenz Cres. to the westerly junction at a total estimated cost of $1,100.00.

CARRIED

Report No. 77 - Finance and Accounts Committee (Cont'd)

8. That, as recommended by the Public Works Committee, a by-law be presented to Council to authorize the acquisition of 0.022 acres (953.4 s.f.) of land from the Ontario Housing Corporation on north side of Johnson Street to permit the relocation of a section of the Johnson St. sidewalk in order to improve the intersection of Sir John A. MacDonald Blvd. and Johnson St., all as shown on Drawing Part Plan B-814, it being understood that the City will assume the responsibility for relocating a section of fence owned by the Ontario Housing Corporation that presently encroaches upon City owned land.

(See By-Law 3: No. 9054) *CARRIED*

9. That, as recommended by the Public Works Committee, a by-law be presented to Council to authorize the construction of asphalt pavement, with road widening, curb, gutter and boulevard on the south side, on Old Quarry Road from Indian Road 155.0 feet easterly to existing pavement, under the provisions of Section 7 of The Local Improvement Act at a total estimated cost of $6,515.00:

Total cost................	$6,515.00	
Owner's share.............	147.69	$6,367.31
Anticipated MTC share..................		3,183.65
City's share..........................		3,183.66
Debenture amount......................		$3,331.35

-and-

As funds have not been provided for this work in the Capital Budget, that $3,331.35 be reallocated from the $33,000.00 provided in the 1977 Capital Budget for the reconstruction of miscellaneous roads from the General Rate to "Road Construction - Local Improvements".

(See By-Law 4: No. 9055)

CARRIED AS AMENDED

10. That the Corporation of the City of Kingston hereby consents to the use of the word "Kingston" in the name *Kingston Theatre Organ Society*.

CARRIED

11. That, in the matter of a Board of Arbitration between the City and the Kingston Professional Firefighters Association:

(A) the appointment of Mr. G.V. Timlin, Employees Benefits Officer, City of Ottawa, as the City's nominee to the Board of Arbitration, and

(B) the retention of Mr. R.A. Little, Q.C., as the City's legal counsel,

be ratified, confirmed and approved.

CARRIED

12. That a civic reception be sponsored for The World Albacore Championships Regatta at Portsmouth Olympic Harbour on July 25, 1977, at a cost of $600 to be changed to the appropriation "Finance-Civic Receptions".

CARRIED

13. That the government of Ontario be notified that the Council of the City of Kingston recommends that the proposed O.H.I.P. Office Building be located in the Downtown core of the City of Kingston, preferably on a presently vacant site.

WITHDRAWN

Report No. 77 - Finance and Accounts Committee (Cont'd)

14. That the service contract with Mills Office Suppliers Limited for the A.B. Dick 1500 Copy/Duplicating System, comprised of duplicator, platemaker and conversion unit, be renewed for the period June 1, 1977, to November 30, 1977, (6 Months) for the sum of $993.00.

(Note: 1. *This is one-half of annual contract of $1,986., was $1,890. last year.*

2. *Service contract for the Model 720 sorter/collator, which is an adjunct to the 1500 Duplicating System, for period April 1, 1977, to March 31, 1978, in amount of $335.00 was renewed in March, 1977.*)

CARRIED

15. That the sum of $6,000.00 be advanced to the Kingston Queen's Silver Jubilee Committee, it being understood that $3,000.00 will be recovered under the Queen's Jubilee Wintario Program and that $3,000.00 be provided from the unexpended KOPEC Reserve Funds.

(Note: Discussed at Finance Meeting No. 21: 77-345)

CARRIED

16. That Mr. Norman C. Jackson, B.A., LL.B., Ottawa, is hereby appointed City Solicitor of the City of Kingston, effective September 15, 1977, Group No. 25-21 ($25,049 - $31,018: 1976)

1) that the City will make arrangements for the retention of the services of a title searcher;

2) that there will be a probationary period of six months; and

3) that the sum of $400.00 will be provided as a relocation allowance;

- and -

on the further understanding that the workload of the City Solicitor's office will be reviewed during 1978 to determine if the employment of a law student is advisable.

See following motion of amendment

Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That clause 16, Report No. 77 be amended to include the following as subsection 4:

"4) *that the City will be responsible for the payment of annual fees of the City Solicitor of The Law Society of Upper Canada and the Frontenac Law Association."*

CARRIED 13:1
(Ald. Miller opposed)

Report No. 77 - Finance and Accounts Committee (Cont'd)

Clause 16, as amended, was then considered as follows:

16. That Mr. Norman C. Jackson, B.A., LL.B., Ottawa, is hereby appointed City Solicitor of the City of Kingston, effective September 15, 1977, Group No. 25-21 ($25,049 - $31,018: 1976)

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4) that the City will be responsible for the payment of annual fees of the City Solicitor of The Law Society of Upper Canada and the Frontenac Law Association.

- and -

on the further understanding that the workload of the City Solicitor's office will be reviewed during 1978 to determine if the employment of a law student is advisable.

CARRIED AS AMENDED

Respectfully submitted,

(Signed) Ken Keyes (Chairman)
J. P. Gerretsen
J. Hawkins
K. W. Matthews
Lois E. Miller

* * *

UNFINISHED BUSINESS

Mayor Keyes reported that the Honourable Keith Norton, Minister of Community and Social Services had requested that an *in camera* meeting of City Council be held with himself and other Provincial Government officials to discuss the O.H.I.P. Building sites on Thursday, July 14, 1977 at 8:00 P.M. in the Council Chambers.

Mayor Keyes reported that the brochure *KINGSTON '77* had been published today and that a copy would be distributed to each member of Council. He noted the publication had been prepared by Kingston Tourist and Visitors' Bureau.

Mayor Keyes reported that the Appeal before the Division Court in Toronto concerning the John L. Smith Fill Case had been "Reserved".

Mayor Keyes said that the Queen's Silver Jubilee Committee had completed arrangements for a parade on Saturday, July 16th, from Victoria Park to City Hall, where the Fort Henry Guard Band would perform in the morning; that during the afternoon there would be continuous band playing for the enjoyment of the onlookers; and that at night a fireworks display would be provided along the waterfront.

Mayor Keyes said that on Sunday, July 17th, in conjunction with the Township of Kingston, a family style picnic would be held at Lemoine Point as part of the Silver Jubilee celebration.

Mayor Keyes requested the members of the Finance Committee to meet following the Council Meeting concerning negotiations with the non-union staff of the City.

Report No. 77 - Finance and Accounts Committee (Cont'd)

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- and -

on the further understanding that the workload of the City Solicitor's office will be reviewed during 1978 to determine if the employment of a law student is advisable.

CARRIED AS AMENDED

Respectfully submitted,

(Signed) *Ken Keyes (Chairman)*
J. P. Gerretsen
J. Hawkins
K. W. Matthews
Lois E. Miller

* * *

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Mayor Keyes requested the members of the Finance Committee to meet following the Council Meeting concerning negotiations with the non-union staff of the City.

UNFINISHED BUSINESS (Cont'd)

Alderman Hawkins reported that an application had been made to the Committee of Adjustment for permission to sell certain land on the west side of Division Street north of Guy Street and south of the P.U.C. property known as "Fray Street" in order that a Portuguese church might be constructed there. He said that the surrounding residents had no objection to the church but they find now that a community hall, which is allowed under the zoning, is also to be provided and that the people in this area are opposed to the community hall.

Alderman Hawkins said that no recommendation had, to date, been received from the Parks and Recreation Committee concerning alterations to the Wally Elmer Youth Centre.

Mayor Keyes asked that Alderman Matthews, Chairman, Parks and Recreation Committee, report on the progress of the proposed plans of the Wally Elmer Youth Centre.

Alderman Miller asked if the Chairman of the Kingston Memorial Centre could indicate why the swimming pool at the Memorial Centre had been very noisily in use last Saturday morning to the annoyance of the neighbours.

Alderman Miller requested that the Police Commission be notified of the many "stop sign" infractions that are occurring at the intersections of:

Earl and Collingwood Streets,
Wellington and Johnson Streets, and
Wellington and Lower Union Streets.

Alderman Miller said that there was a definite lack of noise control in the City. She said that many types of noisy barbeques, pool parties and all night parties are occurring and that there is no cooperation from the Police to stop the noise makers. She said that the Police Officers are not laying charges under the City's present Noise By-Law, instead, they are asking the neighbours to lay charges. She said that the Police claim that they need a better Noise By-Law in order to bring the situation under control.

Alderman Webb said that his reading of the news reports in newspapers in Quebec would lead him to believe that Alcan was planning on moving their entire Research and Development Staff to Kingston rather than only a portion of their staff from Quebec.

Mayor Keyes said that different newspapers were printing different stories about the actual situation.

Alderman Webb said that he wished to declare a conflict of interest concerning the proposed construction of the Portuguese church on the west side of Division Street north of Guy Street since he is a Real Estate agent for one of the parties involved.

Alderman Webb said that he wished to commend the Works Department for their action in the sweeping of the streets in St. Lawrence Ward.

Alderman Webb said that he had received a number of telephone calls concerning garbage being not collected in Frontenac Ward.

Alderman Webb enquired about the progress of the Adopt-A-Cat Month and noted that the publicity concerning Adopt-A-Cat Month had not included the fact that there was a fee involved of from $5.00 to $15.00.

Alderman Miller said that when the clause had been presented for consideration by Council no one had enquired about the fee, which had been publicised. She noted that the animals were also sterilized before being adopted. Alderman Miller said that since the month of July was not yet over that she would report in August.

Alderman McArthur said that he wished to express congratulations to the Kingston Police Department for their actions during the last two months in working towards cleaning up the pornography situation in Kingston. He said that this had been accomplished through cooperation with the R.C.M.P. and other Police Departments, especially that of the City of Toronto.

Alderman McArthur also noted that he had received many complaints concerning automobile drivers squealing their tires on the pavement.

BY-LAWS

(A) Moved by Ald. Gerretsen,
Seconded by Ald. Hawkins,

That By-Laws 1 to 10 be given their first and second readings.

CARRIED

(B) Moved by Ald. Clements,
Seconded by Ald. Matthews,

That Rule 35 of By-Law No. 1 be suspended for the purpose of giving By-Laws 5 to 10 their third reading.

CARRIED

(C) Moved by Ald. Miller,
Seconded by Ald. Gerretsen,

That By-Laws 5 to 16 be given their third reading.

CARRIED

(1) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Rezone 2.5 acre parcel of Land Located at the Northwest Corner of Montreal and Briceland Streets from A5 (one and two-family) Residential to B1.134 (multiple family) Residential)

(FIRST AND SECOND READINGS) (PROPOSED NO. 9052)
Clause 1(B), Report No. 75, 1977

CARRIED

(2) A By-Law to Authorize the Construction of an Asphalt Pavement on Lane Running From Raglan Road to John Street Under the Provisions of Section 7 of the Local Improvement Act.
(Petition)

(FIRST AND SECOND READINGS) (PROPOSED NO. 9053)
Clause 1, Report No. 76, 1977

CARRIED

(3) A By-Law to Authorize the Acquisition of Land from Ontario Housing Corporation for Widening a Portion of the North Side of Johnson Street

(FIRST AND SECOND READINGS) (PROPOSED NO. 9054)
Clause 8, Report No. 77, 1977

CARRIED

(4) A By-Law to Authorize the Construction of an Asphalt Pavement, With Road Widening, Curb, Gutter and Boulevard on the South Side, on Old Quarry Road from Indian Road Easterly 155. feet to Existing Pavement, Under the Provisions of Section 7 of the Local Improvement Act

(FIRST AND SECOND READINGS) (PROPOSED NO. 9055)
Clause 9, Report No. 77, 1977

CARRIED

(5) A By-Law to Amend By-Law No. 495, "A By-Law to Provide for a Parking Meter Zone in Certain Streets or Portions Thereof, and to Provide for the Installation, Regulations, Supervision and Control of Such Parking Meters" (Clause 1, Report No. 74.)

(THREE READINGS) (PROPOSED NO. 9056)
Clause 1, Report No. 74, 1977

CARRIED

(Note: Ministry approval Required.)

BY-LAWS (Cont'd)

(6) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of The City of Kingston, Subject to the Provisions of The Highway Traffic Act" (Clause 1, Report No. 74)

(THREE READINGS) (PROPOSED NO. 9057)
Clause 1, Report No. 74, 1977

CARRIED

(Note: Ministry Approval Required.)

(7) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of The City of Kingston, Subject to the Provisions of The Highway Traffic Act" (Clauses 4 and 6, Report No. 74.)

(THREE READINGS) (PROPOSED NO. 9058)
Clauses 4 and 6, Report No. 74, 1977

CARRIED

(8) A By-Law to Amend the Official Plan of the City of Kingston Planning Area (Amendment No. 92: Northwest Corner of Montreal and Briceland Streets - from Residential Low Density to Residential Medium Density)

(THREE READINGS) (PROPOSED NO. 9059)
Clause 1(A), Report No. 75, 1977

CARRIED

(9) A By-Law to Amend the Official Plan of the City of Kingston Planning Area (Amendment No. 91: Designation of Densities Within Areas of Potential Population Increase)

(THREE READINGS) (PROPOSED NO. 9060)
Clause 3, Report No. 75, 1977

CARRIED

(10) A By-Law to Confirm the Proceedings of Council at Its Meeting Held on July 11, 1977

(THREE READINGS) (PROPOSED NO. 9061)

CARRIED

(11) A By-Law to Authorize the Reconstruction of Certain Pavements in the City of Kingston (General Rate)

(THIRD READING) (PROPOSED NO. 8942)
Clause 12A, Report No. 104, 1976

CARRIED

(12) A By-Law to Authorize Improvements, Alterations and Extensions of the Electrical Distribution System of the City of Kingston in the Amount of $200,000.00.

(THIRD READING) (PROPOSED NO. 9010)
Clause 6, Report No. 35, 1977

CARRIED

(13) A By-Law to Stop Up and Close a Portion of Queen's Crescent between University Avenue and Albert Street.

(THIRD READING) (PROPOSED NO. 9034)
Clause 3, Report No. 61, 1977

CARRIED 11:3
(Ald. Gorham, Ald. Hawkins, Ald. McArthur opposed)

(14) A By-Law to Authorize the Reconstruction of Certain Concrete Sidewalks (General Rate).

(THIRD READING) (PROPOSED NO. 9039)
Clause 15, Report No. 65, 1977

CARRIED

BY-LAWS (Cont'd)

(15) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Rezone 0.2 Acre Parcel of Land Located at the Northwest Corner of Clergy and Queen Streets From A (One and Two Family) Residential to A.132 (One and Two Family) Residential).

(THIRD READING) (PROPOSED NO. 9045)
Clause 1(B), Report No. 66, 1977
and
Clause 4, Report No. 75, 1977

CARRIED 13:1
(Ald. Clements opposed)

(16) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Rezone 4.9 Acre Parcel of Land Located North of Elmwood Street and West of Sir John A. MacDonald Boulevard From B1 (Multiple Family) Residential to B3.133 (Multiple Family) Residential.

(THIRD READING) (PROPOSED NO. 9046)
Clause 4, Report No. 66, 1977

CARRIED 13:1
(Ald. Timmins opposed)

MOTIONS

The following motions were received:

(1) Moved by Ald. Webb,
Seconded by Ald. Matthews,

That the sympathy of Council be extended to the family of the late Philip Josh Nichols

CARRIED

(2) Moved by Ald. Breen,
Seconded by Ald. Matthews,

That Rule 27 of By-Law No. 1 be suspended to reconsider Clause 7, Report No. 71 concerning the management rental agreement with Lamb Real Estate and Insurance Limited.

LOST 9:5

(Note: Pursuant to Rule 39 of By-Law No. 1, a Vote of two-thirds of members of Council present, i.e., 10, is required to suspend a Rule.)

NOTICE OF MOTION

The following Notices of Motion were received:

(1) Moved by Ald. Breen,
Seconded by Ald. Matthews,

That Clause 7, Report No. 71, 1977, be reconsidered.

(Note: Pursuant to Rule 27 of By-Law No. 1, a vote of two-thirds of the members present will be required.)

NOTICE OF MOTION (Cont'd)

(2) Moved by Ald. Breen,
Seconded by Ald. Matthews,

That the houses at 61, 97, 99 and 101 Yonge Street and Calvin Park House be deleted from Clause 7, Report No. 71, 1977.

(Note: Motion (2) to be considered if Motion (1) is carried.)

MOTION

Moved by Ald. French,
Seconded by Ald. Gerretsen,

That Council do now adjourn.

CARRIED

Council adjourned at 9:38 P.M.

(L.S.)

(Signed) T.J. McKibbin,
Clerk-Comptroller

(Signed) Ken Keyes
Mayor

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